

**FINANCIAL DISCLOSURE REPORT  
FOR CALENDAR YEAR 2009**

Report Required by the Ethics  
in Government Act of 1978  
(5 U.S.C. app. §§ 101-111)

<b>1. Person Reporting</b> (last name, first, middle initial)  Wesley, Richard C.	<b>2. Court or Organization</b>  US Court of Appeals, 2nd Cir.	<b>3. Date of Report</b>  03/18/2010
<b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)  Active, U.S. Circuit Judge	<b>5a. Report Type</b> (check appropriate type) <input type="checkbox"/> Nomination,                      Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final <b>5b.</b> <input type="checkbox"/> Amended Report	<b>6. Reporting Period</b>  01/01/2009 to 12/31/2009
<b>7. Chambers or Office Address</b>  Livingston County Government Center 6 Court Street Geneseo, New York 14454	<b>8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations.</b>  Reviewing Officer _____ Date _____	

**IMPORTANT NOTES:** The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information. Sign on last page.

**I. POSITIONS.** (Reporting individual only; see pp. 9-13 of filing instructions.)

NONE (No reportable positions.)

	<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1.	Member	Cornell University Council
2.	Member	Cornell Law School Advisory Council
3.	Board of Directors	Livingston Country Club
4.		
5.		

RECEIVED  
 2010 MAR 22 P 1:07  
 FINANCIAL  
 DISCLOSURE OFFICE

**II. AGREEMENTS.** (Reporting individual only; see pp. 14-16 of filing instructions.)

NONE (No reportable agreements.)

	<u>DATE</u>	<u>PARTIES AND TERMS</u>
1.	2003	New York State Employees Retirement System: pension upon retirement at 55.
2.		
3.		

**FINANCIAL DISCLOSURE REPORT**

Page 2 of 8

Name of Person Reporting

Wesley, Richard C.

Date of Report

03/18/2010

**III. NON-INVESTMENT INCOME.** *(Reporting individual and spouse; see pp. 17-24 of filing instructions.)***A. Filer's Non-Investment Income** NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2009	New York State Employees Retirement System	\$54,566.00
2.		
3.		
4.		

**B. Spouse's Non-Investment Income -** *If you were married during any portion of the reporting year, complete this section.**(Dollar amount not required except for honoraria.)* NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1. 2009	Livonia Central School (Salary)
2.	
3.	
4.	

**IV. REIMBURSEMENTS** – *transportation, lodging, food, entertainment.**(Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.)* NONE *(No reportable reimbursements.)*

	<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1.	Federal Bar Council	2/16/2009 - 2/20/2009	Los Cabos, Mexico	Educational Seminar	Transportation, room and board
2.	Iowa Law School	4/09/2009 - 4/10/2009	Iowa City, IA	Educational Seminar	Transportation, room and board
3.	Federal Government	4/16/2009 - 4/17/2009	Westpoint, New York	Educational Seminar	Transportation, room and board
4.	Federal Government	4/21/2009 - 4/22/2009	Washington, D.C.	Meeting sponsored by AO	Transportation, room and board
5.	Federal Government	6/10/2009 - 6/12/2009	Bolton Landing, NY	Meeting of the Judicial Conference	Transportation, room and board

**FINANCIAL DISCLOSURE REPORT**  
Page 3 of 8

<b>Name of Person Reporting</b> Wesley, Richard C.	<b>Date of Report</b> 03/18/2010
---	-------------------------------------

6. Federal Government	12/1/2009 - 12/3/2009	New Orleans, LA	Meeting sponsored by the AO	Transportation, room and board
7.				

**FINANCIAL DISCLOSURE REPORT**  
Page 4 of 8

Name of Person Reporting  
Wesley, Richard C.

Date of Report  
03/18/2010

**V. GIFTS.** *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*

NONE *(No reportable gifts.)*

<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1.		
2.		
3.		
4.		
5.		

**VI. LIABILITIES.** *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*

NONE *(No reportable liabilities.)*

<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1.		
2.		
3.		
4.		
5.		

**FINANCIAL DISCLOSURE REPORT**

Page 5 of 8

Name of Person Reporting

Wesley, Richard C.

Date of Report

03/18/2010

**VII. INVESTMENTS and TRUSTS** – income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets)  Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Key Bank Account	B	Interest	L	T					
2. Trust I-Chevy Chase Bank Account	A	Interest	J	T					
3. Trust II -Chevy Chase Bank Account	A	Interest	J	T					
4. NWML Balanced Funds (IRA)	A	Dividend	J	T					
5. Northwestern Mutual Life (Whole Life)	C	Dividend	L	T					
6. Northwestern Mutual Life (Whole Life)	B	Dividend	K	T					
7. Northwestern Mutual Life (Whole Life)	C	Dividend	K	T					
8. Northwestern Mutual Life (Whole Life)	B	Dividend	K	T					
9. Northwestern Mutual Life (Whole Life)	B	Dividend	K	T					
10. Northwestern Mutual Life (Whole Life)	B	Dividend	J	T					
11. Assanti Capital Management, Inc., (IRA) Cash	A	Interest	J	T					
12. DFA International Small Company Fund	B	Dividend	L	T					
13. DFA Emerging Markets Fund	A	Dividend	K	T					
14. DFA Large Company Fund	A	Dividend	K	T					
15. DFA Large Cap Value Fund	A	Dividend	K	T					
16. DFA Real Estate Securities Fund	A	Dividend	J	T					
17. DFA US Small Cap Fund	A	Dividend	K	T					

1. Income Gain Codes: (See Columns B1 and D4)	A =\$1,000 or less F =\$50,001 - \$100,000 J =\$15,000 or less N =\$250,001 - \$500,000 P3 =\$25,000,001 - \$50,000,000	B =\$1,001 - \$2,500 G =\$100,001 - \$1,000,000 K =\$15,001 - \$50,000 O =\$500,001 - \$1,000,000	C =\$2,501 - \$5,000 H1 =\$1,000,001 - \$5,000,000 L =\$50,001 - \$100,000 P1 =\$1,000,001 - \$5,000,000 P4 =More than \$50,000,000	D =\$5,001 - \$15,000 H2 =More than \$5,000,000 M =\$100,001 - \$250,000 P2 =\$5,000,001 - \$25,000,000	E =\$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	Q =Appraisal U =Book Value	R =Cost (Real Estate Only) V =Other	S =Assessment W =Estimated	T =Cash Market	
3. Value Method Codes (See Column C2)					

**FINANCIAL DISCLOSURE REPORT**

Page 6 of 8

Name of Person Reporting <b>Wesley, Richard C.</b>	Date of Report 03/18/2010
---	------------------------------

**VII. INVESTMENTS and TRUSTS** – income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets)  Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. DFA Five Year Global Fixed Income Fund	B	Dividend	K	T					
19. DFA International Value Fund	D	Dividend	L	T					
20. AAM.DFA Two Year Government Portfolio	B	Dividend	K	T					
21.									

1. Income Gain Codes: (See Columns B1 and D4)	A =\$1,000 or less F =\$50,001 - \$100,000	B =\$1,001 - \$2,500 G =\$100,001 - \$1,000,000	C =\$2,501 - \$5,000 H1 =\$1,000,001 - \$5,000,000	D =\$5,001 - \$15,000 H2 =More than \$5,000,000	E =\$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	J =\$15,000 or less N =\$250,001 - \$500,000	K =\$15,001 - \$50,000 O =\$500,001 - \$1,000,000	L =\$50,001 - \$100,000 P1 =\$1,000,001 - \$5,000,000	M =\$100,001 - \$250,000 P2 =\$5,000,001 - \$25,000,000	P4 =More than \$50,000,000
3. Value Method Codes (See Column C2)	Q =Appraisal U =Book Value	R =Cost (Real Estate Only) V =Other	S =Assessment W =Estimated	T =Cash Market	

**FINANCIAL DISCLOSURE REPORT**

Page 7 of 8

<b>Name of Person Reporting</b> Wesley, Richard C.	<b>Date of Report</b> 03/18/2010
---	-------------------------------------

**VIII. ADDITIONAL INFORMATION OR EXPLANATIONS.** *(Indicate part of Report.)*

I. Part I - Positions:

Trust I

Trust II - I am the Trustee for both Trusts.

**FINANCIAL DISCLOSURE REPORT**

Page 8 of 8

Name of Person Reporting Wesley, Richard C.	Date of Report 03/18/2010
--	------------------------------

**IX. CERTIFICATION.**

I certify that all information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature



NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSE  
AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

**FILING INSTRUCTIONS**

Mail signed original and 3 additional copies to:

Committee on Financial Disclosure  
Administrative Office of the United States Courts  
Suite 2-301  
One Columbus Circle, N.E.  
Washington, D.C. 20544