AO 10
Rev. 1/2022

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2021

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

1. Person Reporting (last name, first, middle initial)	2. Court or Organization	3. Date of Report
Smith, D. Brooks	Third Circuit Court of Appeals	05/16/2023
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)	**5a. Report Type (check appropriate type)**	**6. Reporting Period**
Judge-Senior	☐ Nomination Date ☐ Initial ☑ Annual ☐ Final **5b.** ☑ Amended Report	01/01/2021 **to** 12/31/2021
7. Chambers or Office Address		
US Court of Appeals, Ste 203 1798 Old Route 220N Duncansville, PA 16635		

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.***

I. POSITIONS. *(Reporting individual only; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 345 Trustees, Executors, Administrators, and Custodians; § 350 Power of Attorney; § 355 Outside Positions.)*

☐ NONE *(No reportable positions.)*

	POSITION	NAME OF ORGANIZATION/ENTITY
1.	Board of Counselors	Penn State University -Penn State Law
2.	Executor #1	Estate #1
3.		
4.		
5.		

II. AGREEMENTS. *(Reporting individual only; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 340 Agreements and Arrangements)*

☑ NONE *(No reportable agreements.)*

	DATE	PARTIES AND TERMS
1.		
2.		
3.		

III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 320 Income; § 360 Spouses and Dependent Children.)*

A. Filer's Non-Investment Income

☐ NONE *(No reportable non-investment income.)*

	DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1.	11/24/2021	Executor, Estate #1, Executor's Fee	$9,000.00
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.)*

	DATE	SOURCE
1.		
2.		
3.		
4.		

IV. REIMBURSEMENTS *-- transportation, lodging, food, entertainment.*

(Includes those to spouse and dependent children; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 330 Gifts and Reimbursements; § 360 Spouses and Dependent Children.)

☐ NONE *(No reportable reimbursements.)*

	SOURCE	DATES	LOCATION	PURPOSE	ITEMS PAID OR PROVIDED
1.	The Law & Economics Center, George Mason University Antonin Scalia Law School	6/13/2021 to 6/18/2021	Beaver Creek, CO	Attend education program	Travel, food and lodging
2.	George Washington Law School, Mass Tort MDL Conference	10/06/2021 to 10/08/2021	Washington, D.C.	Attend education program	Travel, food and lodging
3.					
4.					

5.

V. GIFTS. *(Includes those to spouse and dependent children; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 330 Gifts and Reimbursements; § 360 Spouses and Dependent Children.)*

☑ NONE *(No reportable gifts.)*

	SOURCE	DESCRIPTION	VALUE
1.			
2.			
3.			
4.			
5.			

VI. LIABILITIES. *(Includes those of spouse and dependent children; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 335 Liabilities; § 360 Spouses and Dependent Children.)*

☑ NONE *(No reportable liabilities.)*

	CREDITOR	DESCRIPTION	VALUE CODE
1.			
2.			
3.			
4.			
5.			

Name of Person Reporting	Date of Report
Smith, D. Brooks	05/16/2023

VII. INVESTMENTS and TRUSTS *-- income, value, transactions (Includes those of spouse and dependent children; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 310 Reporting Thresholds for Assets; § 312 Types of Reportable Property; § 315 Interests in Property; § 320 Income; § 325 Purchases, Sales, and Exchanges; § 360 Spouses and Dependent Children; § 365 Trusts, Estates, and Investment Funds.)*

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

A		B		C		D				
Description of Assets (including trust assets)		Income during reporting period		Gross value at end of reporting period		Transactions during reporting period				
Place "(X)" after each asset exempt from prior disclosure		(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)	
1.	M&T Bank (common)	D	Dividend	M	T					
2.	Reliance Bank 401K (H)									
3.	-Principal Global Investors Core Plus Bond	A	Int./Div.	K	T					
4.	-Principal Real Estate Inv Principal US Property	B	Int./Div.	J	T					
5.	-Principal Global Investors Prin LargeCap S&P 500 Inde	E	Int./Div.	M	T					
6.	-LA Capital Mgmt / Victory MidCap Value	B	Int./Div.	J	T					
7.	-Principal Global Investors International SmallCap	D	Int./Div.	K	T					
8.	-Principal Stable Value Fund	C	Interest	M	T					
9.	-AB/Brown/Emerald SmallCap Growth I	E	Int./Div.	L	T					
10.	Northwestern Mutual Life (H)									
11.	-Northwestern Mutual Life Ins-dated 12/10/91	A	Dividend	K	T					
12.	-Northwestern Mutual Life Ins - dated 12/16/89	B	Dividend	L	T					
13.	-Northwestern Mutual Life Ins - dated 12/14/84	B	Dividend	L	T					
14.	-Northwestern Mutual Life Ins - dated 03/02//81	B	Dividend	K	T					
15.	-Northwestern Mutual Life Ins - dated 12/10/77	C	Dividend	M	T					
16.	-Northwestern Mutual Life Ins -dated 1/27/77	B	Dividend	L	T					
17.	Reliance Bank-Savings Account	A	Interest	K	T					

1 Income Gain Codes: (See Columns B1 and D4)
A =$1,000 or less B =$1,001 - $2,500 C =$2,501 - $5,000 D =$5,001 - $15,000 E =$15,001 - $50,000
F =$50,001 - $100,000 G =$100,001 - $1,000,000 H1 =$1,000,001 - $5,000,000 H2 =More than $5,000,000

2 Value Codes (See Columns C1 and D3)
J =$15,000 or less K =$15,001 - $50,000 L =$50,001 - $100,000 M =$100,001 - $250,000
N =$250,001 - $500,000 O =$500,001 - $1,000,000 P1 =$1,000,001 - $5,000,000 P2 =$5,000,001 - $25,000,000
P3 =$25,000,001 - $50,000,000 P4 =More than $50,000,000

3 Value Method Codes (See Column C2)
Q =Appraisal R =Cost (Real Estate Only) S =Assessment T =Cash Market
U =Book Value V =Other W =Estimated

Name of Person Reporting	Date of Report
Smith, D. Brooks	05/16/2023

VII. INVESTMENTS and TRUSTS *-- income, value, transactions (Includes those of spouse and dependent children; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 310 Reporting Thresholds for Assets; § 312 Types of Reportable Property; § 315 Interests in Property; § 320 Income; § 325 Purchases, Sales, and Exchanges; § 360 Spouses and Dependent Children; § 365 Trusts, Estates, and Investment Funds.)*

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

A	B		C		D				
Description of Assets (including trust assets)	Income during reporting period		Gross value at end of reporting period		Transactions during reporting period				
Place "(X)" after each asset exempt from prior disclosure	(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)	
18. Reliance Bank-Checking Account	A	Interest	L	T					
19. Prudential Annuities Services IRA (H)									
20. -AST T Rowe Price Asset Allocation	D	Int./Div.	M	T	Buy (add'l)	10/15/21	K		
21. -AST Fidelity Institutional AM Quantitative Portfolio	B	Int./Div.			Sold	10/15/21	K		
22. -AST Allianz GI World Trends	D	Int./Div.	L	T					
23. -AST Goldman Sachs Multi Asset	C	Int./Div.			Sold	02/19/21	K		
24. -AST Advanced Strategies Portfolio	D	Int./Div.	L	T					
25. -AST J.P. Morgan Tactical Preservation	C	Int./Div.	K	T	Buy	02/19/21	K		
26. Vanguard Brokerage Services (H)									
27. -Vanguard Federal Money Market Fund	A	Dividend	J	T	Buy	3/30/21	K		
28.					Buy (add'l)	04/09/21	J		
29.					Sold (part)	04/12/21	K		
30.					Buy (add'l)	04/30/21	J		
31.					Buy (add'l)	05/28/21	J		
32.					Buy (add'l)	06/30/21	J		
33.					Buy (add'l)	07/31/21	J		
34.					Buy (add'l)	08/31/21	J		

1 Income Gain Codes: (See Columns B1 and D4)	A =$1,000 or less	B =$1,001 - $2,500	C =$2,501 - $5,000	D =$5,001 - $15,000	E =$15,001 - $50,000
	F =$50,001 - $100,000	G =$100,001 - $1,000,000	H1 =$1,000,001 - $5,000,000	H2 =More than $5,000,000	
2 Value Codes (See Columns C1 and D3)	J =$15,000 or less	K =$15,001 - $50,000	L =$50,001 - $100,000	M =$100,001 - $250,000	
	N =$250,001 - $500,000	O =$500,001 - $1,000,000	P1 =$1,000,001 - $5,000,000	P2 =$5,000,001 - $25,000,000	
	P3 =$25,000,001 - $50,000,000		P4 =More than $50,000,000		
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☐ NONE *(No reportable income, assets, or transactions.)*

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35.					Buy (add'l)	09/30/21	J		
36.					Buy (add'l)	10/31/21	J		
37.					Buy (add'l)	11/30/21	J		
38.					Buy (add'l)	12/31/21	J		
39. -Vanguard Wellesley Income Investor CL	B	Dividend	K	T	Buy	04/09/21	K		
40.					Buy (add'l)	06/18/21	J		
41.					Buy (add'l)	09/17/21	J		
42.					Buy (add'l)	12/20/21	J		
43. -Vanguard High Dividend Yield EFT	A	Dividend	K	T	Buy	04/08/21	K		
44.					Buy (add'l)	06/24/21	J		
45.					Buy (add'l)	09/23/21	J		
46.					Buy (add'l)	12/23/21	J		
47. Fidelity Brokerage Services LLC (H)									
48. -Fidelity Flex Government Money Mkt	A	Dividend	J	T	Buy	3/15/21	K		
49.					Sold (part)	03/18/21	K		
50.					Buy (add'l)	03/31/21	J		
51.					Buy (add'l)	06/02/21	J		

1 Income Gain Codes: (See Columns B1 and D4)	A =$1,000 or less	B =$1,001 - $2,500	C =$2,501 - $5,000	D =$5,001 - $15,000	E =$15,001 - $50,000
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2 Value Codes (See Columns C1 and D3)	J =$15,000 or less	K =$15,001 - $50,000	L =$50,001 - $100,000	M =$100,001 - $250,000	
	N =$250,001 - $500,000	O =$500,001 - $1,000,000	P1 =$1,000,001 - $5,000,000	P2 =$5,000,001 - $25,000,000	
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52.					Buy (add'l)	06/04/21	J		
53.					Sold (part)	06/04/21	J		
54.					Buy (add'l)	06/30/21	J		
55.					Sold (part)	09/02/21	J		
56.					Buy (add'l)	09/30/21	J		
57.					Buy (add'l)	12/31/21	J		
58. -Fidelity Flex 500 Index Fund	A	Dividend	K	T	Buy	03/18/21	K		
59.					Sold (part)	06/04/21	J	A	
60.					Sold (part)	09/02/21	J	A	
61. -Fidelity Flex International Index	A	Dividend	J	T	Buy	03/18/21	J		
62.					Sold (part)	06/04/21	J	A	
63.					Buy (add'l)	09/02/21	J		
64. -Fidelity Flex Small Cap Index	A	Dividend	J	T	Buy	03/18/21	J		
65.					Buy (add'l)	06/04/21	J		
66.					Buy (add'l)	09/02/21	J		
67. -Fidelity Flex Mid Cap Index Fund	A	Dividend	J	T	Buy	03/18/21	J		
68.					Buy (add'l)	06/04/21	J		

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69.					Sold (part)	09/02/21	J	A	
70. -Fid Flex Consrv Income Muni Fund	A	Dividend	J	T	Buy	03/18/21	J		
71.					Buy (add'l)	06/04/21	J		
72.					Buy (add'l)	09/02/21	J		
73. -Fid Flex Municipal Income Fund	A	Dividend	K	T	Buy	03/18/21	K		
74.					Buy (add'l)	06/04/21	J		
75.					Buy (add'l)	09/02/21	J		
76. Estate #1 (H)									
77. -Reliance Bank - Savings Account (X)	A	Interest			Closed	11/24/21	K		
78. Estate #2 (H)									
79. -Beneficial Interest (X)	D	Int./Div.			Closed	11/24/21	K		
80.									
81.									
82.									
83.									
84.									
85.									

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

A	B		C		D				
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86.									
87.									
88.									

1 Income Gain Codes: (See Columns B1 and D4)	A =$1,000 or less	B =$1,001 - $2,500	C =$2,501 - $5,000	D =$5,001 - $15,000	E =$15,001 - $50,000
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Smith, D. Brooks	05/16/2023

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

VII Line 71 - Estate #1 Reliance Bank - Savings Account should have been included in the 2020 filing:
Column B(1) A
Column B(2) Interest
Column C(1) M
Column C(2) T
Column D(1) Open
Column D(2) 9/15/20
Column D(3) M

VII Line 73 - Estate #2: The filer is a beneficiary of this estate. The estate was not created by the filer or the filer's spouse, or dependent children, and the filer, the filer's spouse, and filer's children have no knowledge of the assets held within it.

Name of Person Reporting	Date of Report
Smith, D. Brooks	05/16/2023

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: s/ D. Brooks Smith

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILLFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite G-330
One Columbus Circle, N.E.
Washington, D.C. 20544