AO 10
Rev. 1/2022

FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2022

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	10/18/2023
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	01/01/2022 **to** 12/31/2022
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.		
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.	2022	The Penn State University-Penn State Law-Adjunct Professor	$99,849.00
2.	10/06/2022	Lewis and Clark College-Teaching	$7,500.00
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.	2022	ARC Federal Credit Union
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.	George Washington University	02/23/2022-02/25/2022	Miani, FL	Participant in education program	Travel, food and lodging
2.	Pa. Supreme Court	05/05/2022-05/06/2022	Philadelphia, PA	Meet with Pa. Supreme Court re: Celebration of 300 years	Travel, food and lodging
3.	Pa. Supreme Court	05/19/2022-05/20/2022	Philadelphia, PA	Panelist with Pa. Supreme Court Tricentennial	Travel, food and lodging
4.	Waynesburg University	07/14/2022-07/21/2022	Cambridge, U.K.	Presenter in education program	Travel, food and lodging

5.	Lewis & Clark Law School	10/06/2022-10/14/2022	Portland, OR	Presenter in education program	Travel, food and lodging

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	10/18/2023

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. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period (1) Amount Code 1 (A-H)	B. (2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	C. (2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (1) Type (e.g., buy, sell, redemption)	D. (2) Date mm/dd/yy	D. (3) Value Code 2 (J-P)	D. (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	A	Int./Div.	J	T					
5. -Principal Global Investors Prin LargeCap S&P 500 Inde	D	Int./Div.	L	T					
6. -LA Capital Mgmt / Victory MidCap Value	A	Int./Div.	J	T					
7. -Principal Global Investors International SmallCap	C	Int./Div.	K	T					
8. -Principal Stable Value Fund	A	Int./Div.	M	T					
9. -AB/Brown/Emerald SmallCap Growth I	B	Int./Div.	K	T					
10. Northwestern Mutual Life (H)									
11. -Northwestern Mutual Life Ins (Whole Life)-dated 12/10/91	A	Dividend	K	T					
12. -Northwestern Mutual Life Ins(Whole Life)-dated 12/16/89	B	Dividend	L	T					
13. -Northwestern Mutual Life Ins(Whole Life)-dated 12/14/84	B	Dividend	L	T					
14. -Northwestern Mutual Life Ins(Whole Life)-dated 03/02/81	B	Dividend	K	T					
15. -Northwestern Mutual Life Ins(Whole Life)-dated 12/10/77	C	Dividend	M	T					
16. -Northwestern Mutual Life Ins(Whole Life)-dated 01/27/77	B	Dividend	L	T					
17. ARC Federal Credit Union-Non Interest Bearing Checking Account		None	J	T	Open	01/11/22	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		
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		

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☐ 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 (1) Amount Code 1 (A-H)	B. (2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	C. (2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (1) Type (e.g., buy, sell, redemption)	D. (2) Date mm/dd/yy	D. (3) Value Code 2 (J-P)	D. (4) Gain Code 1 (A-H)	
18. Reliance Bank-Savings Account	A	Interest	L	T					
19. Reliance Bank-Checking Account (Y)									
20. Fortitude RE Annuities Services- IRA (H)									
21. -AST T Rowe Price Asset Allocation	D	Int./Div.	L	T	Sold (part)	01/03/22	J		
22.					Sold (part)	02/01/22	J		
23.					Sold (part)	03/01/22	J		
24.					Sold (part)	04/01/22	J		
25.					Sold (part)	05/01/22	J		
26.					Sold (part)	06/01/22	J		
27.					Sold (part)	07/01/22	J		
28.					Sold (part)	08/01/22	J		
29.					Sold (part)	08/08/22	J		
30.					Sold (part)	09/01/22	J		
31.					Sold (part)	10/01/22	J		
32.					Sold (part)	11/01/22	J		
33.					Sold (part)	12/01/22	J		
34. -AST Moderate Multi-Asset Portfolio	A	Int./Div.			Sold (part)	01/03/22	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	
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☐ 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 (1) Amount Code 1 (A-H)	B. (2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	C. (2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (1) Type (e.g., buy, sell, redemption)	D. (2) Date mm/dd/yy	D. (3) Value Code 2 (J-P)	D. (4) Gain Code 1 (A-H)	
35.					Sold (part)	02/02/22	J		
36.					Sold (part)	03/01/22	J		
37.					Sold (part)	04/01/22	J		
38.					Sold (part)	05/02/22	J		
39.					Sold (part)	06/01/22	J		
40.					Sold (part)	07/01/22	J		
41.					Sold (part)	08/01/22	J		
42.					Sold (part)	08/08/22	J		
43.					Sold (part)	09/01/22	J		
44.					Sold (part)	10/03/22	J		
45.					Sold (part)	11/01/22	J		
46.					Sold (part)	12/01/22	J		
47.					Sold	12/02/22	K		
48. -AST Balanced Asset Allocation	A	Int./Div.	K	T	Buy	12/02/22	K		
49. -AST Advanced Strategies Portfolio	D	Int./Div.	L	T	Sold (part)	01/03/22	J		
50.					Sold (part)	02/01/22	J		
51.					Sold (part)	03/01/22	J		

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52.					Sold (part)	04/01/22	J		
53.					Sold (part)	05/02/22	J		
54.					Sold (part)	06/01/22	J		
55.					Sold (part)	07/01/22	J		
56.					Sold (part)	08/01/22	J		
57.					Sold (part)	08/08/22	J		
58.					Sold (part)	09/01/22	J		
59.					Sold (part)	10/01/22	J		
60.					Sold (part)	11/01/22	J		
61.					Sold (part)	12/01/22	J		
62. -AST J.P. Morgan Tactical Preservation	C	Int./Div.	K	T	Sold (part)	01/03/22	J		
63.					Sold (part)	02/01/22	J		
64.					Sold (part)	03/01/22	J		
65.					Sold (part)	04/01/22	J		
66.					Sold (part)	05/02/22	J		
67.					Sold (part)	06/01/22	J		
68.					Sold (part)	07/01/22	J		

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69.					Sold (part)	08/01/22	J		
70.					Sold (part)	08/08/22	J		
71.					Sold (part)	09/01/22	J		
72.					Sold (part)	10/03/22	J		
73.					Sold (part)	11/01/22	J		
74. Vanguard Brokerage Services (H)									
75. -Vanguard Federal Money Market Fund	B	Dividend	L	T	Buy (add'l)	04/11/22	K		
76.					Buy (add'l)	07/11/22	J		
77.					Buy (add'l)	08/10/22	K		
78. -Vanguard Wellesley Income Investor CL	C	Dividend	L	T	Buy (add'l)	01/11/22	J		
79.					Buy (add'l)	02/11/22	J		
80.					Buy (add'l)	03/11/22	J		
81.					Buy (add'l)	04/08/22	J		
82.					Buy (add'l)	05/11/22	J		
83.					Buy (add'l)	06/13/22	J		
84.					Buy (add'l)	07/11/22	K		
85.					Buy (add'l)	08/11/22	J		

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86.					Buy (add'l)	09/12/22	J		
87.					Buy (add'l)	10/04/22	J		
88.					Buy (add'l)	10/11/22	J		
89.					Buy (add'l)	11/02/22	J		
90.					Buy (add'l)	11/14/22	J		
91.					Buy (add'l)	12/09/22	J		
92.					Buy (add'l)	12/12/22	J		
93. -Vanguard High Dividend Yield EFT	A	Dividend	K	T					
94. Fidelity Brokerage Services LLC (H)									
95. -Fidelity Flex Government Money Mkt	A	Dividend	J	T					
96. -Fidelity Flex 500 Index Fund	A	Dividend	K	T	Sold (part)	01/06/22	J	A	
97.					Sold (part)	04/06/22	J	A	
98.					Buy (add'l)	05/13/22	J		
99.					Sold (part)	08/11/22	J	A	
100.					Buy (add'l)	10/12/22	J		
101.					Sold (part)	11/01/22	J	A	
102.					Buy (add'l)	12/21/22	J		

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103. -Fidelity Flex International Index	A	Dividend	J	T	Buy (add'l)	01/06/22	J		
104.					Sold (part)	04/06/22	J	A	
105.					Buy (add'l)	05/13/22	J		
106.					Buy (add'l)	08/11/22	J		
107.					Buy (add'l)	10/12/22	J		
108.					Sold (part)	11/01/22	J	A	
109.					Sold (part)	12/21/22	J	A	
110. -Fidelity Flex Small Cap Index	A	Dividend	J	T	Buy (add'l)	01/06/22	J		
111.					Buy (add'l)	04/06/22	J		
112.					Buy (add'l)	05/13/22	J		
113.					Sold (part)	08/11/22	J	A	
114.					Buy (add'l)	10/12/22	J		
115.					Sold (part)	11/01/22	J	A	
116.					Buy (add'l)	12/21/22	J		
117. -Fid Flex Consrv Income Muni Fund	A	Dividend	J	T	Buy (add'l)	01/06/22	J		
118.					Sold (part)	04/06/22	J	A	
119.					Sold (part)	05/13/22	J	A	

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	10/18/2023

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. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period (1) Amount Code 1 (A-H)	B. (2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	C. (2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (1) Type (e.g., buy, sell, redemption)	D. (2) Date mm/dd/yy	D. (3) Value Code 2 (J-P)	D. (4) Gain Code 1 (A-H)	
120.					Buy (add'l)	08/11/22	J		
121.					Sold (part)	10/12/22	J	A	
122.					Buy (add'l)	11/01/22	J		
123.					Buy (add'l)	12/21/22	J		
124. -Fidelity Flex Mid Cap Index Fund	A	Dividend	J	T	Buy (add'l)	01/06/22	J		
125.					Sold (part)	04/06/22	J	A	
126.					Buy (add'l)	05/13/22	J		
127.					Sold (part)	08/11/22	J	A	
128.					Buy (add'l)	10/12/22	J		
129.					Sold (part)	11/01/22	J	A	
130.					Buy (add'l)	12/21/22	J		
131. -Fid Flex Municipal Income Fund	A	Dividend	K	T	Buy (add'l)	01/06/22	J		
132.					Buy (add'l)	04/06/22	J		
133.					Sold (part)	05/13/22	J	A	
134.					Buy (add'l)	08/11/22	J		
135.					Sold (part)	10/12/22	J	A	
136.					Buy (add'l)	11/01/22	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	
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Name of Person Reporting	Date of Report
Smith, D. Brooks	10/18/2023

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. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period (1) Amount Code 1 (A-H)	B. (2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period (1) Value Code 2 (J-P)	C. (2) Value Method Code 3 (Q-W)	D. Transactions during reporting period (1) Type (e.g., buy, sell, redemption)	D. (2) Date mm/dd/yy	D. (3) Value Code 2 (J-P)	D. (4) Gain Code 1 (A-H)	
137.					Sold (part)	12/21/22	J	A	

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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	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	10/18/2023

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

Part VII Number 14: Prudential Annuities Services was sold to Fortitude RE on April 1, 2022

Part VII Number 28: AST Allianz GI World Trends was renamed AST Moderate Multi-Asset Portfolio on May 1, 2022

Name of Person Reporting	Date of Report
Smith, D. Brooks	10/18/2023

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
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Washington, D.C. 20544