

Jonathan N. Waters v. Michael V. Drake, Joseph E. Steinmetz, PhD, and The Ohio State University, 14-cv-01704-JLG-TPK, September 26, 2014 (S.D. Ohio 2014).

District Court Judge James L. Graham financial holdings in Ohio State vendor-clients of McBee Strategic LLC clients - OSU Trustee president Jeffrey Wadsworth's lobbyist at Battelle Memorial Institute

<http://www.judicialwatch.org/document-archive/james-l-graham-2012/>

	AIM Constellation Class A Mutual Fund		Money Market Fund
	<u>CSTGX</u>		<u>STGXX</u>
Ticker:			
Ohio State relationship:	Narrow sector holdings*	%-age of fund	Size within fund
1 Babcock & Wilcox			
2 Battelle Memorial Institute			
3 Boeing Co	35,857,905		
4 Charter Communications			
5 Citigroup	3,366,895		1,000,000,000
6 Eastman Chemical			
7 Enterprise Community Partners			
8 GE Energy	59,538,452	2.50%	7th
9 Google Inc	84,594,720	3.50%	3rd
10 Honeywell International			4,000,000
11 JPMorgan Chase & Co	7,241,525		38,260,000
12 National Venture Capital Assn			
13 Oracle	26,608,515		
14 Praxair	7,288,449		
Total value:	\$224,496,461		\$1,042,260,000

* So-called "safe harbor concept" does not apply since CSTGX only invests in a few companies in each sector (narrow sector), and STGXX only uses a select number of banks where Citigroup holds over \$1 billion in values. Therefore, *Judge Graham will benefit personally from decisions favorable to Ohio State and Ohio State's and Jeffrey Wadsworth's McBee Strategic vendors--his investments*. Neither does the *de minimus* (very little holding, nothing really) concept apply since the Judicial Conference says holdings of "even one share" by a spouse opens a judge up to the appearance of bias (even if no bias exists) and necessitates recusal. Presumably, if the judge invested in the fund, then he did not consider the holding inconsequential. Judges participate in these funds by the very act of selecting one with its priorities over another with different stock holdings.

Code of Conduct for United States Judges

Canon 2: "A judge should avoid impropriety and the appearance of impropriety in all activities."