

FINANCIAL DISCLOSURE REPORT INITIAL FILING

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) Swank, Kimberly A.	2. Court or Organization US District Court, Eastern District of North Carolina	3. Date of Report 11/04/2013
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) US Magistrate Judge - Part-time	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☒ Initial ☐ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2012 to 10/31/2013
7. Chambers or Office Address US Courthouse Annex 215 South Evans Street Greenville, NC 27858		
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 pp. 9-13 of filing instructions.)

☐ NONE (No reportable positions.)

	<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1.	Executive Committee Member	NC Conference of Bar Presidents, NC State Bar
2.	Treasurer	Parent Service Association, The Oakwood School
3.	Committee Member	Cub Scout Pack 999
4.		
5.		

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.		
2.		
3.		

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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.)*

DATE

SOURCE AND TYPE

INCOME
(yours, not spouse's)

1.

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 AND TYPE

1. 2012

UHS of Eastern Carolina, Inc., d/b/a Vidant Health - salary

2. 2011

UHS of Eastern Carolina, Inc., d/b/a Vidant Health - salary

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.)*

SOURCE

DATES

LOCATION

PURPOSE

ITEMS PAID OR PROVIDED

1. EXEMPT

2.

3.

4.

5.

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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.	EXEMPT		
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.	Wells Fargo Mortgage	Mortgage on Rental Property, Greenville NC (Pt VII, line 3)	None
2.	First Citizens Bank & Trust	Credit line on Rental Property, Greenville NC (Pt VII, line 3)	None
3.			
4.			
5.			

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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. State Employees' Credit Union accounts	A	Int./Div.	K	T	Exempt				
2. PNC Bank account	A	Interest	J	T	Exempt				
3. Rental Property, Greenville NC (2001 \$280,000)	E	Rent	N	R	Exempt				
4. Brokerage Acct #1 (IRA) (H)									
5. --AFS Int'l Growth & Inc Fund	A	Dividend	J	T	Exempt				
6. --Alger SMid Cap Growth I	A	Dividend	J	T	Exempt				
7. --Delaware Select Growth Fund		None	J	T	Exempt				
8. --Dreman Contrarian High Opportunity Fund	A	Dividend			Exempt				
9. --Eaton Vance Large Cap Value	A	Dividend	J	T	Exempt				
10. --Goldman Sachs Commodity Strategy Fund Instl	A	Dividend	J	T	Exempt				
11. --Harbor Capital Appreciation Fund Inst'l Class	A	Dividend	J	T	Exempt				
12. --Harbor Intl Fund Instl Class	A	Dividend	J	T	Exempt				
13. --Harbor Intl Growth Fund Instl Class		None			Exempt				
14. --Hotchkis & Wiley Mid Cap Value Fund	A	Dividend	J	T	Exempt				
15. --Invesco Growth & Inc Fund	A	Dividend	J	T	Exempt				
16. --John Hancock Classic Value Fund	A	Dividend	J	T	Exempt				
17. --John Hancock Disciplined Value Mid Cap Fund	A	Dividend	J	T	Exempt				

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 P3 = \$25,000,001 - \$50,000,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
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	

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18. --JP Morgan Fed Money Mkt Fund Instl Class	A	Dividend	J	T	Exempt				
19. --Lazard Developing Mkts Equity Fund	A	Dividend	J	T	Exempt				
20. --Mainstay Cornerstone Growth Fund	A	Dividend	J	T	Exempt				
21. --Mainstay Icap Intl Fund	A	Dividend	J	T	Exempt				
22. --Morgan Stanley Instl Global Real Estate	A	Dividend	J	T	Exempt				
23. --Munder Ser Tr Munder Veracity Sm Cap Value Fund	A	Dividend	J	T	Exempt				
24. --Oppenheimer Intl Growth Fund	A	Dividend	J	T	Exempt				
25. --Pioneer Fund	A	Dividend			Exempt				
26. --Rainier Mid Cap Equity Fund Instl		None	J	T	Exempt				
27. --RS Emerging Markets Fund	A	Dividend			Exempt				
28. --Sentinel Common Stock Fund	A	Dividend	J	T	Exempt				
29. --T Rowe Price Intl Stock Fund	A	Dividend	J	T	Exempt				
30. --Turner Large Growth Fund	A	Dividend			Exempt				
31. ING Index Plus LargeCap Portfolio I		None	K	T	Exempt				
32. Investment Co of America Fund Class A	A	Dividend	J	T	Exempt				
33. Brokerage Acct #2 (H)									
34. --Col Mid Cap Value Z	A	Dividend			Exempt				

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35. --Fidelity Balanced Fund	D	Dividend	M	T	Exempt				
36. --Fidelity Magellan Fund		None			Exempt				
37. --Invesco Comstock Fund Class A	A	Dividend	K	T	Exempt				
38. --Touchstone Mid Cap Value Instl Class	A	Dividend	J	T	Exempt				
39. --T Rowe Price Blue Chip Growth Fund	A	Dividend	K	T	Exempt				
40. Brokerage Acct #3 (H)									
41. --ABBV	A	Dividend	J	T	Exempt				
42. --ABT	A	Dividend	J	T	Exempt				
43. --CSCO	A	Dividend	J	T	Exempt				
44. --D	A	Dividend	J	T	Exempt				
45. --HSP		None	J	T	Exempt				
46. --MSFT	A	Dividend	J	T	Exempt				
47. --Janus Enterprise Fund JAENX	A	Dividend	J	T	Exempt				
48. --Old Mut Advisors FDS II OBFVX		None			Exempt				
49. --Vanguard 500 Index Fund VFINX	A	Dividend	K	T	Exempt				
50. --Touchstone Strategic Tr Focused Fund TFFYX	A	Dividend	J	T	Exempt				
51. --JP Morgan Tr II Liquid Assets Money Market JLEXX	A	Dividend	J	T	Exempt				

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52. Equitable Variable Life	A	Interest	J	T	Exempt				
53. NC 529 Plan, Growth Portfolio & Moderate Growth Portfolio		None	L	T	Exempt				
54.									
55.									
56.									
57.									
58.									
59.									
60.									
61.									

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

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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/ **Kimberly A. Swank**

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