

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2016

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) Cogburn, Jr., Max O.	2. Court or Organization U.S. District Court, North Carolina	3. Date of Report 5/11/2017
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge - Active	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 1/1/2016 to 12/31/2016
7. Chambers or Office Address Suite 319, 100 Otis Street Asheville, NC 28801		
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.	Trustee	Carolina Day School
2.	Board of Governors	Biltmore Forest Country Club, Inc.
3.		
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.)*DATESOURCE AND TYPEINCOME

(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.)*DATESOURCE AND TYPE

1. 2016

Town of Biltmore Forest - Board 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.)*SOURCEDATESLOCATIONPURPOSEITEMS PAID OR PROVIDED

1. _____

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.			
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.	Farm Credit	Secured loan on family business property (1/4 of amount)	PI
2.	HomeTrust Bank	Secured loan on office building (1/5 of amount)	O
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. Cogburn Family Properties, LLC Buncombe Co, NC- Land Holding	A	Rent	P1	W					
2. Ranchland Incorporated, Buncombe County, N.C. - Land Holding	A	Rent	P1	W					
3. Pisgah View Ranch, Inc. - Operating Business		None	M	W					
4. Pisgah Highland Conservancy LLC Buncombe Co NC-Land Holding		None	M	R					
5. Lincoln: Whole Life - (No Control)	A	Int./Div.	J	T					
6. Fuse Science (formerly Double Eagle Stock)		None	J	T					
7. Ohio National: Universal Non-Variable (No Control)	C	Int./Div.	L	T					
8. Merrill Lynch Managed Mutual Fund (H)									
9. -AllianzGI NFJ Dividend Value Fund	A	Dividend	J	T					
10.					Sold (part)	05/05/16	J	A	
11.					Sold (part)	07/20/16	J	B	
12.					Buy (add'l)	10/26/16	J		
13. -Blackrock Eqty Dividend Fund	A	Dividend	J	T					
14.					Sold (part)	05/05/16	J	A	
15.					Sold (part)	07/20/16	J	A	
16.					Buy (add'l)	10/26/16	J		
17. -Columbia Select Large Cap Growth Fund	A	Dividend	J	T					

1. Income Gain Codes:	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
(See Columns B1 and D4)	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	J = \$15,000 or less	K = \$15,001 - \$50,000	L = \$50,001 - \$100,000	M = \$100,001 - \$250,000	
(See Columns C1 and D3)	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	
3. Value Method Codes	P3 = \$25,000,001 - \$50,000,000		P4 = More than \$50,000,000		
(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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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 I (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.					Buy (add'l)	05/09/16	J		
19.					Sold (part)	07/20/16	J	A	
20.					Buy (add'l)	10/26/16	J		
21. -Harbor International Fund		None							
22.					Buy (add'l)	05/09/16	J		
23.					Buy (add'l)	07/20/16	J		
24.					Sold	10/26/16	J	C	
25. -ISHARES TR Russell 2000		None			Sold	05/05/16	J	C	
26. -Mainstay Large Cap Growth Fund	A	Dividend	J	T					
27.					Sold (part)	05/05/16	J	B	
28.					Sold (part)	07/20/16	J	A	
29.					Sold (part)	10/26/16	J	A	
30. -Metropolitan West Total Return Bond Fund	A	Dividend	J	T					
31.					Buy (add'l)	05/09/16	J		
32.					Buy (add'l)	07/20/16	J		
33. -MFS Value Fund	A	Dividend	J	T					
34.					Buy (add'l)	05/09/16	J		

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 \$50,000,000	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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☐ 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)
35.					Sold (part)	07/20/16	J	A	
36.					Buy (add'l)	10/26/16	J		
37. -Oppenheimer International Growth Fund	A	Dividend	J	T					
38.					Buy (add'l)	05/09/16	J		
39.					Buy (add'l)	07/20/16	J		
40.					Buy (add'l)	10/26/16	J		
41. -PNC Small Cap FD I		None			Buy	05/05/16	J		
42.					Buy (add'l)	07/20/16	J		
43. -SPDR S P Dividend ETF		None			Sold	05/05/16	J	C	
44. -T Rowe Price Dividend Growth Fund	A	Dividend	J	T					
45.					Buy (add'l)	05/09/16	J		
46.					Sold (part)	07/20/16	J	D	
47.					Buy (add'l)	10/26/16	J		
48. -The Oakmark International Fund	A	Dividend	J	T					
49.					Sold (part)	05/05/16	J	B	
50.					Buy (add'l)	07/20/16	J		
51.					Buy (add'l)	10/26/16	J		

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	
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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		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)
52. -Victory Sycamore Small		None			Buy	07/20/16	J		
53.					Sold (part)	10/26/16	J	A	
54. -Western Asset Core Bond Fund	A	Dividend	J	T					
55.					Buy (add'l)	07/20/16	J		
56. Merrill Lynch Managed Mutual Fund (IRA) (H)									
57. -American Euro Pacific Growth Fund		None			Sold	10/25/16	J	B	
58. -Blackrock Eqty Dividend Fund	A	Dividend	J	T					
59.					Sold (part)	07/21/16	J	A	
60.					Buy (add'l)	10/25/16	J		
61.					Sold (part)	11/22/16	J	A	
62. -Clearbridge Small Cap Fund		None							
63.					Sold (part)	06/07/16	J	A	
64.					Sold	07/21/16	J	C	
65. -Dreyfus Appreciation Fund	A	Dividend							
66.					Sold	06/07/16	J	C	
67. -Glenmede Small Cap	A	Dividend	J	T	Buy	07/21/16	J		
68.					Buy (add'l)	10/25/16	J		

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69.					Sold (part)	11/22/16	J	A	
70. -Hartford Growth Opportunities Fund	A	Dividend	J	T					
71.					Buy (add'l)	06/07/16	J		
72.					Sold (part)	10/25/16	J	A	
73.					Sold (part)	11/22/16	J	A	
74. -Henderson International Opportunities Fund	A	Dividend							
75.					Sold (part)	06/07/16	J	A	
76.					Buy (add'l)	07/21/16	J		
77.					Sold	10/25/16	J	C	
78. -ISHARES Inc Core MSCI	A	Dividend	J	T	Buy	06/07/16	J		
79.					Sold (part)	07/19/16	J	A	
80.					Sold (part)	10/25/16	J	A	
81.					Sold (part)	11/22/16	J	A	
82. -ISHARES Russell 1000	A	Dividend	J	T	Buy	06/07/16	J		
83.					Buy (add'l)	06/07/16	J		
84.					Buy (add'l)	07/19/16	J		
85.					Sold (part)	07/19/16	J		

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86.					Buy (add'l)	10/25/16	J		
87.					Sold (part)	11/22/16	J	A	
88.					Sold (part)	11/22/16	J	A	
89. -John Hancock Disciplined Value Fund	A	Dividend	J	T					
90.					Sold (part)	06/07/16	J	A	
91.					Buy (add'l)	10/25/16	J		
92.					Sold (part)	11/22/16	J	A	
93. -Mainstay Large Cap Growth Fund	A	Dividend	J	T					
94.					Sold (part)	06/07/16	J	A	
95.					Sold (part)	07/21/16	J	A	
96.					Sold (part)	10/25/16	J	A	
97.					Sold (part)	11/22/16	J	A	
98. -MFS Value Fund	A	Dividend	J	T					
99.					Buy (add'l)	10/25/16	J		
100.					Sold (part)	11/22/16	J	A	
101. -Oppenheimer Internatl	A	Dividend	J	T	Buy	10/25/16	J		
102.					Sold (part)	11/22/16	J	A	

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 \$50,000,000	M ~\$100,001 - \$250,000 P2 ~\$5,000,001 - \$25,000,000	
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103. -Oppenheimer Rising Dividends Fund	A	Dividend	J	T					
104.					Buy (add'l)	10/25/16	J		
105.					Sold	06/07/16	J	C	
106. -Pioneer Fundamental	A	Dividend	J	T	Buy	06/07/16	J		
107.					Sold (part)	11/22/16	J	A	
108. -The Oakmark International Fund	A	Dividend	J	T					
109.					Sold (part)	06/07/16	J	B	
110.					Buy (add'l)	07/21/16	J		
111.					Buy (add'l)	10/25/16	J		
112.					Sold (part)	11/22/16	J	A	

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

VII. Investments and Trusts, page 4, lines 1-3.

The first three entries in this section refer to two holding companies and an operating business for a contiguous piece of family owned real estate. The property is owned equally by my three sibilings and me. The land is divided into two holding companies, Cogburn Family Properties, LLC and Ranchland Incorporated. The third company, Pisgah View Ranch, Inc. operates a guest ranch on the property. My siblings and I own another separate piece of land, which is held in the Pisgah Highland Conservancy, LLC (see entry 4), the date of purchase was December 23, 2008 and the purchase price was \$170,000.00.

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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/ **Max O. Cogburn, Jr.**

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