

FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2012Report Required by the Ethics
in Government Act of 1978
(5 U.S.C. app. §§ 101-111)

1. Person Reporting (last name, first, middle initial) Whitney, Frank D.	2. Court or Organization District Court - WDNC	3. Date of Report 07/10/2013
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) District Judge - Active	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2012 to 12/31/2012
7. Chambers or Office Address Charles R. Jonas Federal Building 401 W. Trade St., Room 195 Charlotte, NC 28202		
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. Member	Whitney Properties LLC
2. Power of Attorney	☐ Member #1
3. Trustee	Trust #1
4. Director	Festival in the Park, Inc. (IRC § 501(c)(3))
5. Advisory Member	North Carolina State Bar Ethics Committee
6. Judicial Representative to the Board	Legal Services of Southern Piedmont, Inc. (IRC § 501(c)(3))
7. Council Member & Treasurer	North Carolina Bar Association - Government and Public Sector Section Council & Professionalism Committee
8. Board Members	May 20th Society (IRC § 501(c)(3))
9. Awards Committee Member	North Carolina Heroes Fund (IRC § 501(c)(3))

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.	

FINANCIAL DISCLOSURE REPORT

Page 2 of 9

Name of Person Reporting	Date of Report
Whitney, Frank D.	07/10/2013

3. _____

FINANCIAL DISCLOSURE REPORT

Page 3 of 9

Name of Person Reporting

Whitney, Frank D.

Date of Report

07/10/2013

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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2012	Charlotte School of Law, Adjunct Professor of Law	\$8,000.00
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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1. 2012	Kitchen & Bath Retail Group of NC, LLC - salary as kitchen designer
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.)*

	<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1.	North Carolina Bar Association	2/16/2012	Greensboro, North Carolina	North Carolina Bar Association Professionalism Committee	Meals
2.	North Carolina Bar Association	6/21/2012 - 6/25/2012	Wilmington, North Carolina	North Carolina Bar Association Annual Meeting	Meals
3.	North Carolina Bar Association	9/11/2012	Raleigh, North Carolina	North Carolina Bar Association Government & Public Sector Section Council Meeting	Meals
4.					

FINANCIAL DISCLOSURE REPORT

Page 4 of 9

Name of Person Reporting

Whitney, Frank D.

Date of Report

07/10/2013

5.

FINANCIAL DISCLOSURE REPORT

Page 5 of 9

Name of Person Reporting

Whitney, Frank D.

Date of Report

07/10/2013

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.	Bank of America	Loan on Rental Property #1, Davidson, NC (Part VII, Line 1)	M
2.	Bank of America	Loan on Rental Property #1, Sunset Beach, NC (Part VII, Line 3)	N
3.			
4.			
5.			

FINANCIAL DISCLOSURE REPORT

Page 6 of 9

Name of Person Reporting

Whitney, Frank D.

Date of Report

07/10/2013

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. Rental Property #1, Davidson, NC	D	Rent	N	W					
2. Whitney Properties, LLC:		None	O	W					
3. - Rental Property #1, Sunset Beach, NC	E	Rent			Sold	8/3/12	O	G	Gloria G. Lentz, Trustee
4. - Rental Property #2, Sunset Beach, NC	E	Rent	N	W					
5. - Rental Property #3, Sunset Beach, NC	D	Rent	N	W					
6. - Bank of America business accounts (Whitney Prop LLC)	A	Interest	J	T					
7. Carolina Panthers Permanent Seat License		None	J	W					
8. Co-author book, Lexis-Nexis (no income since 2002)		None	J	W					
9. Bank of America savings and checking accounts inc [REDACTED]	A	Interest	J	T					
10. USAA interest checking account	A	Interest	J	T					
11. Belk Corp Common Stock, Charlotte, NC	A	Dividend	J	T					
12. Bank of America Common Stock	A	Dividend	K	T					
13. BB&T (Sterling Capital) Equity Index Fund	A	Dividend	J	T					
14. BB&T Prime Fund	A	Interest	J	T					
15. US Savings Bonds		None	J	T					
16. United Parcel Service Class B	A	Dividend			Sold	12/17/12	J	C	
17. Fidelity Dividedt Growth	A	Dividend			Sold	12/17/12	K	D	

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	

FINANCIAL DISCLOSURE REPORT

Page 7 of 9

Name of Person Reporting

Whitney, Frank D.

Date of Report

07/10/2013

VII. INVESTMENTS and TRUSTS -- income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

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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				
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18. Standard & Poors DEP RCPTS (SPY)	D	Dividend	M	T	Sold (part)	12/17/12	L	D	
19. Trust #1:									
20. - Standard & Poors DEP RCPTS (SPY)	A	Dividend	K		Sold (part)	12/17/12	K	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
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FINANCIAL DISCLOSURE REPORT

Page 8 of 9

Name of Person Reporting

Whitney, Frank D.

Date of Report

07/10/2013

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

FINANCIAL DISCLOSURE REPORT

Page 9 of 9

Name of Person Reporting

Whitney, Frank D.

Date of Report

07/10/2013

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/ **Frank D. Whitney**

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