

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) Whitney, Frank D.	2. Court or Organization District Court - WDNC	3. Date of Report 11/16/2017
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 01/01/2016 to 12/31/2016
7. Chambers or Office Address Charles R. Jonas Federal Building & US Courthouse 401 West Trade Street, 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. Power of Attorney	Person #1
2. Member	Whitney Properties LLC
3. Member	Whitney Assets LLC
4. Board of Directors	Festival in the Park, Inc. (IRC section 501(c)(3) organization)
5. Advisory Member	North Carolina State Bar LAMP Committee
6. Judicial Representative to the Board of Directors (term ended June 2016)	Legal Services of Southern Piedmont (IRC section 501(c)(3) organization)
7. Vice President and Council Member	North Carolina Bar Association (Government & Public Sector Council and Veterans/Military Affairs Council)
8. Board of Directors	May 20th Society (IRC Section 501(c)(3) organization)
9. Board of Visitors	Charlotte Country Day School (IRC section 501(c)(3) organization)
10. Board of Visitors	Charlotte Bridge Home (IRC section 501(c)(3) organization)

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.	

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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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2016	Charlotte School of Law	\$23,000.00
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. 2016	Kitchen & Bath Retail Group of NC, LLC - 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.)*

	<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1.	North Carolina Bar Association	2/11/16, 10/7/16 to 10/8/16, 6/16/16 to 6/19/16	Cary, NC; Asheboro, NC, Asheville, NC	Board and Council Meetings	Meals
2.	North Carolina State Bar	4/21/16, 6/3/16, 7/21/16 to 7/22/16	Raleigh, NC	LAMP Committee Meetings	Meals
3.	Duke Law School, Center on Law, Ethics, and National Security	4/11/16 to 4/13/16	Durham, NC	Attendee	Meals
4.	Wake Forest School of Law	6/7/16	Winston-Salem	Speaker	Meals
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.	Caliber Home Loans'	Loan on Rental Property #1, Davidson, NC (Part VII, Linee 1)	M
2.			
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. Rental Property #1, Davidson, NC	D	Rent	N	W					
2. Whitney Properties LLC:									
3. - Rental Property #1, Sunset Beach, NC	D	Rent	N	W					
4. - Rental Property #2, Sunset Beach, NC	D	Rent	N	W					
5. - Bank of America business accounts (Whitney Prop LLC)	A	Interest	J	T					
6. Whitney Assets LLC		None	J	W					
7. Carolina Panthers Permanent Seat License		None	J	W					
8. Co-author book, Lexis-Nexis, Newark, NJ (no inc since 2002)		None	J	W					
9. Bank of America savings and checking accounts [REDACTED]	A	Interest	J	T					
10. USAA Federal Savings Bank checking accounts [REDACTED]	A	Interest	J	T					
11. Bank of America Common Stock	A	Dividend	K	T					
12. BB&T Federated Prime Fund Money Market accounts	A	Interest	J	T					
13. Standard & Poors DEP RCPTS (SPY)	D	Dividend	L	T					
14. Paragon Bank checking account	A	Interest	J	T					
15. 529 North Carolina National College Savings Program	A	Distribution			Closed	06/01/16	J	A	Age-based mod (X)
16. 529 North Carolina National College Savings Program	A	Distribution			Closed	06/01/16	J	A	Age-based con (X)
17.									

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

Although I am a principle in Whitney Assets LLC (Part VII, Line 6), there are no reportable assests in the LLC.
The 529 accounts were held in prior reporting periods starting in 2012. I did not understand that they were reportable because they were managed by a state agency.

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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/ **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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