

# FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2011

Report Required by the Ethics  
in Government Act of 1978  
(5 U.S.C. app. §§ 101-111)

|                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                          |                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <b>1. Person Reporting</b> (last name, first, middle initial)<br><br>MILLER, GRAY H.                                                                                                                                             | <b>2. Court or Organization</b><br><br>U.S. DIST. COURT, SO. DIST. TX                                                                                                                                                                                                                    | <b>3. Date of Report</b><br><br>08/01/2012                       |
| <b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)<br><br>U.S. DISTRICT JUDGE - ACTIVE                                                                         | <b>5a. Report Type</b> (check appropriate type)<br><input type="checkbox"/> Nomination <input type="checkbox"/> Date<br><input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final<br><b>5b.</b> <input type="checkbox"/> Amended Report | <b>6. Reporting Period</b><br><br>01/01/2011<br>to<br>12/31/2011 |
| <b>7. Chambers or Office Address</b><br><br>BOB CASEY U. S. COURTHOUSE<br>515 RUSK AVE<br>HOUSTON, TX 77002                                                                                                                      |                                                                                                                                                                                                                                                                                          |                                                                  |
| <p><b>IMPORTANT NOTES:</b> The instructions accompanying this form must be followed. Complete all parts, checking the <b>NONE</b> box for each part where you have no reportable information. Insert signature on last page.</p> |                                                                                                                                                                                                                                                                                          |                                                                  |

## 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 of the Advisory Board      | USS Cavalla Historical Foundation                    |
| 2. | Member of the Board               | Garland R. Walker American Inn of Court              |
| 3. | Member of the Board               | Federal Bar Association - Southern District of Texas |
| 4. | Member of the Executive Committee | Houston Marine Insurance Seminars, Inc.              |
| 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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Name of Person Reporting

MILLER, GRAY H.

Date of Report

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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. \_\_\_\_\_

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. | Trapeze Capital Corp. | Margin Account     | K                 |
| 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.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B.<br>Income during<br>reporting period |                                               | C.<br>Gross value at end<br>of reporting period |                                           | D.<br>Transactions during reporting period      |                         |                                 |                                |                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------|-------------------------------------------|-------------------------------------------------|-------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>mm/dd/yy | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 1. Everbank Bank Accounts                                                                                                   | A                                       | Interest                                      | K                                               | T                                         | Open                                            | 08/02/11                | J                               |                                | See Note in Part VIII                                             |
| 2. Performex Multi Manager Fund 3c1 LP                                                                                      | B                                       | Int./Div.                                     | N                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 3.                                                                                                                          | F                                       | Distribution                                  |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 4. Brokerage Account #1 (formerly<br>Brokerage ...                                                                          |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                | See Note in Part VIII                                             |
| 5. - Corridor Res Inc. Common Stock                                                                                         |                                         | None                                          | J                                               | T                                         | Sold<br>(part)                                  | 06/03/11                | J                               | C                              |                                                                   |
| 6. - Malaga Inc                                                                                                             |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 7. - ORCA Exploration                                                                                                       |                                         | None                                          | J                                               | T                                         | Sold<br>(part)                                  | 06/10/11                | J                               | B                              |                                                                   |
| 8. - Goldfarb Corp C1-A Svs                                                                                                 |                                         | None                                          |                                                 |                                           | Sold                                            | 06/03/11                | J                               | B                              |                                                                   |
| 9. - Petrolifera Petroleum Ltd                                                                                              |                                         | None                                          |                                                 |                                           | Sold                                            | 03/15/11                | J                               |                                |                                                                   |
| 10. - Specialty Foods Grp Vtr/Rt 14/Dec11                                                                                   | A                                       | Interest                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 11. - St. Andrew Goldfields - New Common<br>Stock                                                                           |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 12. - Aetna Inc- New Common Stock                                                                                           | A                                       | Dividend                                      |                                                 |                                           | Sold<br>(part)                                  | 05/27/11                | J                               | B                              |                                                                   |
| 13.                                                                                                                         |                                         |                                               |                                                 |                                           | Sold                                            | 06/03/11                | J                               | B                              |                                                                   |
| 14. - BJS Restaurants Inc                                                                                                   |                                         | None                                          |                                                 |                                           | Sold                                            | 01/17/11                | J                               |                                | See Note in Part VIII                                             |
| 15.                                                                                                                         |                                         |                                               |                                                 |                                           | Buy                                             | 08/05/11                | J                               |                                |                                                                   |
| 16.                                                                                                                         |                                         |                                               |                                                 |                                           | Buy                                             | 08/11/11                | J                               |                                |                                                                   |
| 17. - Kroger Co Common Stock                                                                                                | A                                       | Dividend                                      |                                                 |                                           | Sold                                            | 08/23/11                | J                               | A                              |                                                                   |

|                                                  |                                                                                       |                                                        |                                                                                           |                                                              |                         |
|--------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------|
| 1. Income Gain Codes:<br>(See Columns B1 and D4) | A = \$1,000 or less<br>F = \$50,001 - \$100,000                                       | B = \$1,001 - \$2,500<br>G = \$100,001 - \$1,000,000   | C = \$2,501 - \$5,000<br>H1 = \$1,000,001 - \$5,000,000                                   | D = \$5,001 - \$15,000<br>H2 = More than \$5,000,000         | E = \$15,001 - \$50,000 |
| 2. Value Codes<br>(See Columns C1 and D3)        | J = \$15,000 or less<br>N = \$250,001 - \$500,000<br>P3 = \$25,000,001 - \$50,000,000 | K = \$15,001 - \$50,000<br>O = \$500,001 - \$1,000,000 | L = \$50,001 - \$100,000<br>P1 = \$1,000,001 - \$5,000,000<br>P4 = More than \$50,000,000 | M = \$100,001 - \$250,000<br>P2 = \$5,000,001 - \$25,000,000 |                         |
| 3. Value Method Codes<br>(See Column C2)         | Q = Appraisal<br>U = Book Value                                                       | R = Cost (Real Estate Only)<br>V = Other               | S = Assessment<br>W = Estimated                                                           | T = Cash Market                                              |                         |

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☐ NONE (No reportable income, assets, or transactions.)

| A.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B.<br>Income during<br>reporting period |                                               | C.<br>Gross value at end<br>of reporting period |                                           | D.<br>Transactions during reporting period      |                         |                                 |                                |                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------|-------------------------------------------|-------------------------------------------------|-------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)<br>Amount<br>Code I<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>mm/dd/yy | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |

|                                                 |   |          |   |   |                |          |   |   |                       |
|-------------------------------------------------|---|----------|---|---|----------------|----------|---|---|-----------------------|
| 18. - Clorox Company Common Stock               |   | None     |   |   | Sold           | 01/07/11 | J | A |                       |
| 19. - CVS Caremark Corporation Common           | A | Dividend |   |   | Sold           | 04/20/11 | J | A |                       |
| 20. - Jack in the Box Inc Common                |   | None     |   |   | Sold           | 4/19/11  | J | A |                       |
| 21. - Aflac Inc Common                          |   | None     |   |   | Sold           | 01/11/11 | J | A |                       |
| 22. - Goldman Sachs Group Inc Common            |   | None     |   |   | Sold           | 01/11/11 | J | A |                       |
| 23. - Xcite Energy Ltd Common                   |   | None     | J | T | Sold<br>(part) | 10/07/11 | J | A |                       |
| 24. - Aurcana Corporation (formerly Aurcana.... |   | None     |   |   | Buy<br>(add'l) | 05/09/11 | J |   | See Note in Part VIII |
| 25.                                             |   |          |   |   | Sold<br>(part) | 04/13/11 | J | B |                       |
| 26.                                             |   |          |   |   | Sold<br>(part) | 04/18/11 | J | B |                       |
| 27.                                             |   |          |   |   | Sold<br>(part) | 04/19/11 | J | A |                       |
| 28.                                             |   |          |   |   | Sold           | 05/04/11 | J | B |                       |
| 29. - WTS-Aurcana Corp 07Dec13                  |   | None     |   |   | Sold           | 05/09/11 | J |   |                       |
| 30. - Manitok Energy Inc 23Apr2011              |   | None     | J | T | Buy<br>(add'l) | 04/13/11 | J |   |                       |
| 31. - Porto Energy (Y)                          |   |          |   |   |                |          |   |   |                       |
| 32. - Hewlett Packard Co Common Stock           | A | Dividend |   |   | Sold           | 05/20/11 | J |   |                       |
| 33.                                             |   |          |   |   | Buy            | 06/28/11 | J |   |                       |
| 34.                                             |   |          |   |   | Sold           | 10/06/11 | J |   |                       |

|                                                  |                                                                                       |                                                        |                                                                                           |                                                              |                         |
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| 1. Income Gain Codes:<br>(See Columns B1 and D4) | A = \$1,000 or less<br>F = \$50,001 - \$100,000                                       | B = \$1,001 - \$2,500<br>G = \$100,001 - \$1,000,000   | C = \$2,501 - \$5,000<br>H1 = \$1,000,001 - \$5,000,000                                   | D = \$5,001 - \$15,000<br>H2 = More than \$5,000,000         | E = \$15,001 - \$50,000 |
| 2. Value Codes<br>(See Columns C1 and D3)        | J = \$15,000 or less<br>N = \$250,001 - \$500,000<br>P3 = \$25,000,001 - \$50,000,000 | K = \$15,001 - \$50,000<br>O = \$500,001 - \$1,000,000 | L = \$50,001 - \$100,000<br>P1 = \$1,000,001 - \$5,000,000<br>P4 = More than \$50,000,000 | M = \$100,001 - \$250,000<br>P2 = \$5,000,001 - \$25,000,000 |                         |
| 3. Value Method Codes<br>(See Column C2)         | Q = Appraisal<br>U = Book Value                                                       | R = Cost (Real Estate Only)<br>V = Other               | S = Assessment<br>W = Estimated                                                           | T = Cash Market                                              |                         |

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|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------|-------------------------------------------|-------------------------------------------------|-------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>mm/dd/yy | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |

|                                                      |   |          |   |   |                           |          |   |   |                       |
|------------------------------------------------------|---|----------|---|---|---------------------------|----------|---|---|-----------------------|
| 35. - Cisco Systems Inc Common Stock                 | A | Dividend |   |   | Sold                      | 05/17/11 | J |   |                       |
| 36. - General Motors 5.25% (Y)                       |   |          |   |   |                           |          |   |   |                       |
| 37. - General Motors Company                         | A | Dividend |   |   | Spinoff<br>(from line 36) | 04/25/11 | J |   |                       |
| 38.                                                  |   |          |   |   | Sold                      | 10/06/11 | J |   |                       |
| 39. - MasterCard Inc CL-A Common Stock               | A | Dividend |   |   | Sold<br>(part)            | 03/21/11 | J | A |                       |
| 40.                                                  |   |          |   |   | Sold                      | 06/01/11 | J | B |                       |
| 41. - Dineequity Inc Common Stock                    |   | None     |   |   | Sold                      | 01/07/11 | J |   | See Note in Part VIII |
| 42.                                                  |   |          |   |   | Sold                      | 01/18/11 | J |   |                       |
| 43.                                                  |   |          |   |   | Buy                       | 06/13/11 | J | A |                       |
| 44.                                                  |   |          |   |   | Buy                       | 06/16/11 | J | A |                       |
| 45. - Dynacor Gold Mines Inc Common Stock            |   | None     | J | T |                           |          |   |   |                       |
| 46. - Cline Mining Corp Common Stock                 |   | None     | J | T | Buy                       | 03/16/11 | J |   |                       |
| 47. - Southern Pacific Resource Corp Common<br>Stock |   | None     | J | T | Buy                       | 03/23/11 | J |   |                       |
| 48. - Dell Inc Common Stock                          |   | None     | J | T | Buy                       | 02/18/11 | J |   |                       |
| 49.                                                  |   |          |   |   | Buy<br>(add'l)            | 03/21/11 | J |   |                       |
| 50.                                                  |   |          |   |   | Sold<br>(part)            | 06/03/11 | J | A |                       |
| 51. - Cheesecake Factory Inc Common Stock            |   | None     |   |   | Sold                      | 01/11/11 | J |   | See Note in Part VIII |

|                                                  |                                                                                       |                                                        |                                                              |                                                              |                         |
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| 2. Value Codes<br>(See Columns C1 and D3)        | J = \$15,000 or less<br>N = \$250,001 - \$500,000<br>P3 = \$25,000,001 - \$50,000,000 | K = \$15,001 - \$50,000<br>O = \$500,001 - \$1,000,000 | P1 = \$1,000,001 - \$5,000,000<br>P4 = More than \$5,000,000 | M = \$100,001 - \$250,000<br>P2 = \$5,000,001 - \$25,000,000 |                         |
| 3. Value Method Codes<br>(See Column C2)         | Q = Appraisal<br>U = Book Value                                                       | R = Cost (Real Estate Only)<br>V = Other               | S = Assessment<br>W = Estimated                              | T = Cash Market                                              |                         |

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|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------|-------------------------------------------|-------------------------------------------------|-------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>mm/dd/yy | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 52.                                                                                                                         |                                         |                                               |                                                 |                                           | Buy                                             | 08/11/11                | J                               | A                              |                                                                   |
| 53. - Dicks Sporting Goods Inc Common Stock                                                                                 |                                         | None                                          |                                                 |                                           | Sold                                            | 01/17/11                | J                               |                                | See Note in Part VIII                                             |
| 54.                                                                                                                         |                                         |                                               |                                                 |                                           | Buy                                             | 6/15/11                 | J                               |                                |                                                                   |
| 55. - Pivot Acquisition CV 12.00% 14April2013                                                                               | A                                       | Interest                                      | J                                               | T                                         | Buy                                             | 04/14/11                | J                               |                                |                                                                   |
| 56. - Fortress Paper Ltd Common Stock                                                                                       |                                         | None                                          | J                                               | T                                         | Buy                                             | 04/26/11                | J                               |                                |                                                                   |
| 57.                                                                                                                         |                                         |                                               |                                                 |                                           | Buy<br>(add'l)                                  | 05/27/11                | J                               |                                |                                                                   |
| 58. - Google Inc Common Stock                                                                                               |                                         | None                                          |                                                 |                                           | Buy                                             | 05/31/11                | J                               |                                |                                                                   |
| 59.                                                                                                                         |                                         |                                               |                                                 |                                           | Sold                                            | 06/27/11                | J                               |                                |                                                                   |
| 60. - Put 100 SPY 08/20/11 128                                                                                              |                                         | None                                          |                                                 |                                           | Buy                                             | 06/21/11                | J                               |                                |                                                                   |
| 61.                                                                                                                         |                                         |                                               |                                                 |                                           | Sold                                            | 06/23/11                | J                               | A                              |                                                                   |
| 62.                                                                                                                         |                                         |                                               |                                                 |                                           | Buy                                             | 06/28/11                | J                               |                                |                                                                   |
| 63.                                                                                                                         |                                         |                                               |                                                 |                                           | Sold                                            | 06/30/11                | J                               |                                |                                                                   |
| 64. - Call 100 AEO 01/19/13 14.5                                                                                            |                                         | None                                          | J                                               | T                                         | Buy                                             | 07/11/11                | J                               |                                |                                                                   |
| 65. - Apple Inc Common Stock                                                                                                |                                         | None                                          | J                                               | T                                         | Buy                                             | 11/04/11                | J                               |                                |                                                                   |
| 66. Performex Multi Manager Fund 3c1 LP<br>(IRA Investment)                                                                 | D                                       | Int./Div.                                     | P1                                              | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 67. Trust #1                                                                                                                |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 68. - Fidelity Core Cash Account                                                                                            | A                                       | Interest                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |

|                                                  |                                                                                       |                                                        |                                                                                          |                                                              |                         |
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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.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B.<br>Income during<br>reporting period |                                               | C.<br>Gross value at end<br>of reporting period |                                           | D.<br>Transactions during reporting period      |                         |                                 |                                |                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------|-------------------------------------------|-------------------------------------------------|-------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>mm/dd/yy | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 69. - Short Dow30 ProShares ETF                                                                                             |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 70. - Ultra Short Dow30 ProShares ETF                                                                                       |                                         | None                                          |                                                 |                                           | Sold                                            | 08/09/11                | J                               |                                |                                                                   |
| 71. - Exxon Mobil Corp Common Stock                                                                                         | A                                       | Dividend                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 72. Trust #2                                                                                                                |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 73. - Fidelity Core Cash Account                                                                                            | A                                       | Interest                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 74. - Short Dow30 ProShares ETF                                                                                             |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 75. - Ultra Short Dow30 ProShares ETF                                                                                       |                                         | None                                          |                                                 |                                           | Sold                                            | 08/09/11                | J                               |                                |                                                                   |
| 76. - Exxon Mobile Corp Common Stock                                                                                        | A                                       | Dividend                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 77. Trust #3                                                                                                                |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 78. - Fidelity Core Cash Account                                                                                            | A                                       | Interest                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 79. - ProShares Short QQQ (PSQ)                                                                                             |                                         | None                                          | J                                               | T                                         | Buy                                             | 04/05/11                | J                               |                                |                                                                   |
| 80. - ProShares Trust Short Dow 30 (DOG)                                                                                    |                                         | None                                          | J                                               | T                                         | Buy                                             | 04/05/11                | J                               |                                |                                                                   |
| 81. - ProShares Short Russell 2000 (RWM)                                                                                    |                                         | None                                          | J                                               | T                                         | Buy                                             | 12/05/11                | J                               |                                |                                                                   |
| 82. - ProShares UltraShort Euro (EUO)                                                                                       |                                         | None                                          | J                                               | T                                         | Buy                                             | 12/05/11                | J                               |                                |                                                                   |
| 83. - ProShares Short Real Estate Fd (REK)                                                                                  |                                         | None                                          | J                                               | T                                         | Buy                                             | 12/05/11                | J                               |                                |                                                                   |

|                                                  |                                                                                       |                                                        |                                                                                           |                                                              |                         |
|--------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------|
| 1. Income Gain Codes:<br>(See Columns B1 and D4) | A = \$1,000 or less<br>F = \$50,001 - \$100,000                                       | B = \$1,001 - \$2,500<br>G = \$100,001 - \$1,000,000   | C = \$2,501 - \$5,000<br>H1 = \$1,000,001 - \$5,000,000                                   | D = \$5,001 - \$15,000<br>H2 = More than \$5,000,000         | E = \$15,001 - \$50,000 |
| 2. Value Codes<br>(See Columns C1 and D3)        | J = \$15,000 or less<br>N = \$250,001 - \$500,000<br>P3 = \$25,000,001 - \$50,000,000 | K = \$15,001 - \$50,000<br>O = \$500,001 - \$1,000,000 | L = \$50,001 - \$100,000<br>P1 = \$1,000,001 - \$5,000,000<br>P4 = More than \$50,000,000 | M = \$100,001 - \$250,000<br>P2 = \$5,000,001 - \$25,000,000 |                         |
| 3. Value Method Codes<br>(See Column C2)         | Q = Appraisal<br>U = Book Value                                                       | R = Cost (Real Estate Only)<br>V = Other               | S = Assessment<br>W = Estimated                                                           | T = Cash Market                                              |                         |

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Name of Person Reporting

MILLER, GRAY H.

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

Note: ETF stands for Exchange Traded Fund.

Part VII, page 4, line 1 - The prior year report showed Everbank Bank Account which included one account. During 2011, another account was opened so the title is now listed as Everbank Bank Accounts.

Part VII, page 4, line 4 - Brokerage Account #1 was formerly called Brokerage Account #2.

Part VII, page 4 line 14 - BJS Restaurants Inc was sold short on 01/17/11 and covered on 08/05/11 and 08/11/11. Column C has been left blank since this stock was not longer held at the end of the reporting period.

Part VII, page 5 line 24 - Aurcana Corporation was formerly known as Aurcana Corporation 08Apr11 and merged into Aurcana Corporation on 04/08/11.

Part VII, page 6, line 41 - Dineequity Inc was sold short on 01/07/11 and 01/18/11 and covered on 06/13/11 and 06/16/11. Column C has been left blank since this stock was not longer held at the end of the reporting period.

Part VII, page 6 line 51 - Cheesecake Factory Inc Common Stock was sold short on 01/11/11 and covered on 08/11/11. Column C has been left blank since this stock was not longer held at the end of the reporting period.

Part VII, page 7 line 53 - Dicks Sporting Goods Inc Common Stock was sold short on 01/17/11 and covered on 06/15/11. Column C has been left blank since this stock was not longer held at the end of the reporting period.

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Name of Person Reporting

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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/ GRAY H. MILLER**

**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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