

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2005

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) Harwell, Robert B	2. Court or Organization U.S. District Court of S.C.	3. Date of Report 5/1/2006
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Article III Judge, Active	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2005 to 12/31/2005
7. Chambers or Office Address 401 West Evans Street McMillan Federal Bldg Florence, SC 29501	8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations. Reviewing Officer _____ Date _____	
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. Sign on last page.		

I. POSITIONS. (Reporting individual only; see pp. 9-13 of instructions.)

☐ NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Officer/Director	Harwell Farms and Investment, Inc.
2. Officer/Director	Harwell Properties, Inc.
3. Officer/Director	Harwell Development Co., Inc.
4. Trustee	Trust #1
5. Custodian	Custodial Account #1
6. Custodian	Custodian Account #2
7.	

II. AGREEMENTS. (Reporting individual only; see pp. 14-16 of instructions.)

☐ NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1. 7/9/04	Ballenger, Barth & Hoefer, LLP- My law partners and I have agreed that I will be paid 25% of the contingent fees generated on specifically
2.	designated files existing at the time of my departure (June 25, 2004) for my interest in my former law practice
3.	

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U.S. DISTRICT COURT
FLORENCE, SC

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III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of 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. 2005	US District Court	\$ 150,620
2. 2005	Ballenger, Barth & Hoefler, LLP (per agreement for interest in lawfirm-See Part II)	\$ 166,326
3.		
4.		
5.		

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.	
2.	
3.	
4.	
5.	

IV. REIMBURSEMENTS -- *transportation, lodging, food, entertainment.**(Includes those to spouse and dependent children. See pp. 25-27 of instructions.)*☐ NONE *(No reportable reimbursements.)*

<u>SOURCE</u>	<u>DESCRIPTION</u>
1. SC Trial Lawyers Association	Aug 4-7, 2005, Hilton Head Island, SC; attended SC Trial Lawyers Assoc. Convention (lodging)
2. SC Defense Trial Lawyer's Association	Nov. 3-5, 2005, Pinchurst, NC; attended SC Defense Trial Lawyers Association meeting (lodging)
3.	
4.	
5.	

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V. GIFTS. *(Includes those to spouse and dependent children. See pp. 28-31 of 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. 32-34 of instructions.)*☐NONE *(No reportable liabilities.)*

<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1. First Reliance	/PCDG, LLC/note & mtg./ limited liability	J
2.		
3.		
4.		
5.		

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VII. INVESTMENTS and TRUSTS -- income, value, transactions (includes those of the spouse and dependent children. See pp. 34-37 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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Charles Schwab/Sweep Acct	C	Interest	M	T					
2. Common WB	B	Dividend	K	T					
3. Common WFC	A	Dividend	J	T					
4. Common ALV (X)	A	Dividend	J	T					
5. Common R&H (X)	A	Dividend	J	T					
6. Common TSFG	B	Dividend	L	T					
7. Wachovia Accts	A	Interest	J	T					See additional note (1)
8. BB&T Accts	E	Interest	O	T					
9. First Reliance Accts	D	Interest	N	T					
10. Harwell Farms & Investment 12 1/2% 12/31/04 compiled \$31M		None	K	U					
11. Harwell Properties, Inc 12 1/2% 12/31/04 compiled \$21M	A	Distribution	K	U					
12. Harwell Devel Co., Inc. 12 1/2% compiled 12/31/04 \$52M	F	Distribution	L	U					
13. PCDG, LLC (10%) 1998 & 2000 \$32,000		None	K	R					
14. Charles Schwab IRA #1	B	Dividend	M	T					
15. -Cash Fund		None							
16. -DFA Intl Small Co Port		None							
17. -DFA Value III Port		None							

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

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VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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				
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						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. -DFA Large Cap Intl Port		None							
19. -DFA Large Cap Value III Port		None							
20. -DFA US Large Co Instl Index Port		None							
21. -DFA US Small Cap Port		None							
22. -DFA US Small Cap Value		None							
23. Charles Schwab IRA#2	C	Dividend	N	T					
24. -Cash Fund		None							
25. -DFA Intl Small Co Port		None							
26. -DFA Intl Value III Port		None							
27. -DFA Large Cp Intl Port		None							
28. -DFA Large Cap Value III		None							
29. -DFA US Lg Co. Inst Index Port		None							
30. -DFA US Small Cap Port		None							
31. -DFA US Small Cap Value									
32. Charles Schwab IRA#3	A	Dividend	K	T					
33. -Cash fund									
34. -DFA US Small Cap Port									

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35. Trust #1	C	Dividend	M	T					
36. -BB&T Corp									
37. -Vanguard short-term treasury		None							
38. Richland County Zero 8/1/05		None	L	T	matured	8/1			Zero Bond
39. Berkeley Co SC Zero 6/1/12	C	Interest	L	T					
40. Clemson University, SC Zero 5/1/10	B	Interest	L	T					
41. Piedmont Mun. Power Zero 1/1/08	A	Interest	J	T					
42. Piedmont Mun. Power Zero 1/1/13	A	Interest	J	T					
43. Piedmont Mun. Power Zero 1/1/13	A	Interest	K	T					
44. Piedmont Mun. Power Zero 1/1/13	A	Interest	K	T					
45. Piedmont Mun Power Zero 1/1/15	C	Interest	L	T					
46. Richland Co SC Zero 8/1/09	B	Interest	L	T					
47. Richland Co SC Zero 8/1/07	A	Interest	J	T					
48. SC Zero 7/1/12	C	Interest	L	T					
49. Three Rivers Solid Zero 1/1/09	A	Interest	K	T					
50. Three Rivers Solid Zero 1/1/11	B	Interest	K	T					
51. Three Rivers Solid Zero 1/1/12	B	Interest	K	T					

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

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52. Three Rivers Solid Zero 1/1/13	B	Interest	K	T					
53. DFA Tax Man US Mktwde	A	Dividend	K	T					
54. Rental Prop N Myrtle Beach, SC (2003, \$238,600)	E	Rent	M	R					
55. Rental Propety #2 Snowshoe, WV a (2003 \$175,000)	E	Rent	M	R					
56. David W. Harwell & Sons Prop (Cherry Grove, SC) 49% (\$243,000		None	M	U					
57. on 2004 tax return)									
58. College Fund #1	A	Dividend	K	T					
59. -College Bound Fund		None							
60. -Bank of America Strategic Growth									
61. -Mid Cap Brown Port Class A		None							
62. -Small Co Port Class A									
63. -Bond Port Class									
64. College Fund #2	A	Dividend	K	T					
65. -College Bound Fund		None							
66. -Bank of America Strategic Growth									
67. -Small Co Port Class A									
68. -Bond Port Class									

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69. -Mid Cap Growth Port Class A									
70. [REDACTED] Farms, Florence, SC (1999 \$125,000)		None	M	R	Sell timber	12/31	J	A	Southern Land & Timber Cor
71. Custodial Account#1 "X"	A	Dividend	J	T					
72. -Common TSFG									
73. Custodial Acct#2 "(X)"	A	Dividend	J	T					
74. -Common TSFG									

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

(1) Inadvertently omitted in listing of assets in previous year's 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



Date

May 1, 2006

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

FILING INSTRUCTIONS

Mail signed original and 3 additional copies to:

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544