

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY

CHAMBERS OF
JOHN G. HEYBURN II
CHIEF JUDGE

UNITED STATES COURTHOUSE
LOUISVILLE, KY 40202
(502) 625-3620
FAX: (502) 625-3639

March 9, 2006

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

Gentlemen:

I am enclosing my 2005 Financial Disclosure Report. In Section VIII (Note 2), certain newly disclosed assets are explained in the manner that I trust is consistent with the advice of your staff.

The following is a further explanation. [REDACTED], was the original incorporator, manager and sole shareholder of R.H. Burnhey Investments LLC (the "Company"). In 2002 she gifted me shares in the Company but I had no right to control the underlying assets. I did receive income from the Company. Inadvertently that income was not reported in 2002 or 2003. In April 2004, I became manager and gained some right to control the assets. Inadvertently this information was not contained in the 2004 report. In this report I have listed all the assets of the Company as now appropriate. Currently, the Company is dissolving and distributing its assets. I will report that transaction next year.

I trust this explanation is satisfactory.

Sincerely,

[REDACTED]

Enclosure

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2006 MAR 15 A 11:08
FINANCIAL
DISCLOSURE OFFICE

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 name, Middle initial) HEYBURN II, JOHN G	2. Court or Organization U.S.D.C.KENTUCKY WESTERN	3. Date of Report 3/9/2006
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) District Court Judge (Active)	5. ReportType (check appropriate type) ☐ Nomination, Date ☐ Initial ☒ Annual ☐ Final	6. Reporting Period 1/1/2005 to 12/31/2005
7. Chambers or Office Address 239 U.S. Courthouse Louisville, KY 40202	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 filing instructions)

☐ NONE - (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Trustee	Charitable Foundation - H
2. Manager	R.H. Burnhey Investments LLC

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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Name of Person Reporting

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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.)

DATE

SOURCE AND TYPE

GROSS INCOME

(yours, not spouse's)

1.

B. Spouse's Non-Investment Income - (If you were married during any portion of the reporting year, please complete this section. Dollar amount not required except for honoraria.)

☒ NONE - (No reportable non-investment income.)

DATE

SOURCE AND TYPE

1.

IV. REIMBURSEMENTS -- transportation, lodging, food, entertainment.

(Includes those to spouse and dependent children. See pp. 25-27 of instructions.)

☒ NONE - (No such reportable reimbursements.)

SOURCE

DESCRIPTION

1.

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting

HEYBURN II, JOHN G

Date of Report

3/9/2006

V. GIFTS. (Includes those to spouse and dependent children. See pp. 28-31 of instructions.)

☒ NONE - (No such reportable gifts.)

SOURCE

DESCRIPTION

VALUE

1.

VI. LIABILITIES. (Includes those of spouse and dependent children. See pp. 32-34 of instructions.)

☐ NONE - (No reportable liabilities.)

CREDITOR

DESCRIPTION

VALUE CODE

1. Capital One Visa

Credit Card

J

FINANCIAL DISCLOSURE REPORT

Page 1 of 6

Name of Person Reporting
HEYBURN II, JOHN G

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3/9/2006

VII. INVESTMENTS and TRUSTS -- income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 of filing instructions.)

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)
☐ NONE (No reportable income, assets, or transactions)									
1. Trust	D	Dividend							
2. Trust	C	Dividend							Note 1
3. HILLIARD LYONS TRUSTEE(IRA)	D	Dividend	N	T					
4. Hilliard-Lyon Gov't Fd.									
5. Berkshire Hathaway-B									
6. Bristol Myers Squibb					Sold All	3/1	K		
7. Chevron									
8. Cincinnati Fin.									
9. Exxon Mobil									
10. MBIA									
11. Growth Fd. Of America									
12. HILLIARD LYONS TRUSTEE (IRA)-Hilliard-Lyon Gov't Fd.	D	Dividend	N	T					
12a. Growth Fd. of America									
14. Invest.Co.of Am.									
15. Smallcap Wld.Fd.									
16. OTHER INVESTMENTS									
17. Hilliard-Lyon Gov't Fd.	B	Dividend	K	T					
18. Anheuser Busch	A	Dividend	L	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 = \$250,000-\$500,000 O = \$500,001-\$1,000,000 P1 = \$1,000,001-\$5,000,000 P2 = \$5,000,001-\$25,000,000
P3 = \$25,000,001-\$50,000,000 P4 = \$More than \$50,000,000
3. Value Method Codes Q = Appraisal R = Cost (Real Estate Only) S = Assessment T = Cash/Market
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FINANCIAL DISCLOSURE REPORT

Page 2 of 6

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3/9/2006

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	(1)	(2)	(1)	(2)	(1)	If not exempt from disclosure			
	Amount Code 1 (A -H)	Type (e.g. div. rent. or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g. buy, sell, merger, redemption)	(2) Date: Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
19. BP PLC	A	Dividend	K	T					
20. Berkshire Hathaway	A	Dividend	L	T					
21. Bristol Myers Squibb	C	Dividend	L	T					
22. Brown Forman Inc.	A	Dividend	L	T					
23. Chevron Corp.	B	Dividend	L	T					
24. Cincinnati Fin.Corp.	A	Dividend			sold	4/15	K	E	
25. Cincinnati Fin.Corp	A	Dividend			gift	2/8	J	B	
26. Clorox Co.	A	Dividend	L	T					
27. Colgate Palmolive	A	Dividend	K	T					
28. Computer Services Inc.	A	Dividend	L	T	buy	1/10	K		
29. Disney Co.	A	Dividend	K	T					
30. Ebay Inc.	A	Dividend	K	T					
31. Exxon Mobil	B	Dividend	M	T					
32. General Electric Co.	B	Dividend	M	T					
33. GlaxcoSmithKline PLC *	A	Dividend	K	T					* name change
34. Growth Fd. Of America	A	Dividend	L	T					
35. Hilliard Lyons Growth	B	Dividend	K	T					
36. Home Depot Inc.	A	Dividend	M	T					

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FINANCIAL DISCLOSURE REPORT

Page 3 of 6

Name of Person Reporting
HEYBURN II, JOHN G

Date of Report
3/9/2006

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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)
37. Johnson and Johnson	A	Dividend	M	T					
38. MBIA Inc.	A	Dividend	L	T					
39. McGraw-Hill Cos.	A	Dividend	K	T					
40. Merck and Co.	A	Dividend	K	T					
41. Microsoft	A	Dividend	M	T					
42. Moodys	A	Dividend	L	T					
43. Proctor & Gambill	B	Dividend	M	T					
44. Sara Lee Corp.	A	Dividend	K	T					
45. Schlumberger Ltd	A	Dividend	K	T	buy	7/12	K		
46. Starbucks Corp.	A	Dividend	K	T					
47. SY Bank Corp.	A	Dividend	J	T					
48. US Wireless Online, Inc.	A	Dividend	J	T					
49. Verizon Communications	A	Dividend	J	T					
50. Walgreens	A	Dividend	K	T					
51. Washington Mut. Inc.	A	Dividend	K	T					
52. Wyeth, formerly Amer.Home Prod.	C	Dividend	M	T					
53. Zebra Tech.	A	Dividend	J	T					
54. Zimmer Hldgs	A	Dividend	K	T					

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FINANCIAL DISCLOSURE REPORT

Page 4 of 6

Name of Person Reporting

HEYBURN II, JOHN G

Date of Report

3/9/2006

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	Amount Code 1 (A -H)	Type (e.g. div. rent. or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g. buy, sell, merger, redemption)	(2) Date: Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
55. TRUST - () Tr.)	D	Dividend	N	T					
56. Blackrock Fd.									
57. Gen. Elect.									
58. National City									
59. PNC Bank									
60. SY Bank					sold all	2/25	K	C	
61. JP Morgan Co.									
62. TRUST () Tr.) - Annanda Money Mkt.Fd.	D	Dividend	N	T					
63. Ky. Tax Exempt Money Fd									
64. BP PLC ADR									
65. Citigroup Inc.					buy	2/25	K		
66. Coca Cola Co									
67. Gannett Co.									
68. General Electric					buy	2/1	J		
69. GlaxoSmithKline PLC *									* Name Change
70. Honeywell Intl.									
71. Johnson & Johnson									
72. Marsh & McLennan									

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FINANCIAL DISCLOSURE REPORT

Page 5 of 6

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3/9/2006

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73. McGraw-Hill Co.									
74. National City Corp.									
75. Nokia Corp.									
76. Proctor & Gamble									
77. Schlumberger Ltd.									
78. Verizon Communications					Sold all	3/05	K	C	
79. CHARITABLE FOUNDATION - (JGH Fd.)	C	Dividend	K	T					
79a. Hilliard Lyons Growth									
81. ING ReliaStar Ins.Co. Universal Life Policy			N	V					Note 3
82. MONY Whole Life			K	V					Note 3
83. R.H. BURNHEY INVEST. LLC	D	Dividend	N	T					Note 2
84. American Int Group									
85. BP PLC									
86. Birstol Myers Squibb									
87. Citigroup Inc.									
88. Compass Bksh Inc.									
89. Dell Inc.									
90. Dominion Res Inc.									

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FINANCIAL DISCLOSURE REPORT

Page 6 of 6

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91. Emerson Electric Co.									
92. General Electric Co.									
93. Harbor Inter. Fd.									
94. Ky. Tax Ex Mon Mkt Fd									
95. Ky. Tax Ex Fd									
96. Kimberly-Clark Corp.									
97. McGraw-Hill Cos.									
98. Medtronic Inc.									
99. Microsoft									
100. Omnicom Group Inc.									
101. Pepsico Inc.									
102. Pfizer Inc.									
103. Pitney Bowes Inc.									
104. Sungard Data Sys. Inc.									
105. Templeton Inst. Fd.									
106. Verizon Communications									
107. Wells Fargo Co.									
108. Wyeth, formerly Amer. Home Prod.									

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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of Report.)

Note 1: This is a [REDACTED] trust from which I receive income only and have no role or power of administration. Previously inadvertently unreported.

Note 2: R.H. Burnhey Investments LLC (the "Company") was created in 2001. I have owned shares in the Company since January, 2002. Inadvertently, I did not previously report cash distributions that I received each year. In April 2004, I became manager with some right of management. Inadvertently I did not report this last year. In this year's report, listed under R.H. Burnhey Investments LLC, I have listed all the underlying assets of the Company. The Company is now in the process of dissolving and distributing its assets.

Note 3: This is an insurance policy on my life, with [REDACTED] as beneficiary. Previously inadvertently unreported.

FINANCIAL DISCLOSURE REPORT

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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. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature



Date

3-9-06

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