

United States District Court

EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA, VIRGINIA 22314-5799

CHAMBERS OF
T.S. ELLIS, III
UNITED STATES DISTRICT JUDGE

Albert V. Bryan U.S. Courthouse
401 Courthouse Square

Telephone (703) 299-2114

August 11, 2006

Honorable Ortrie D. Smith, Chair
Committee on Financial Disclosure
Judicial Conference of the United States
One Columbus Circle, N.E.
Washington, D.C. 20544

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2006 AUG 15 A 11:06
FINANCIAL
DISCLOSURE OFFICE

Dear Judge Smith,

Thank you for your July 14, 2006 letter regarding my financial disclosure report for calendar year 2005. Attached please find an amended report containing clarifications.

You had requested clarification of Part VII, Page 1, lines 24-26 of my 2004 report, indicating that these assets were not listed in my 2005 report. Lines 24-26 of the 2004 report actually correspond to lines 21-23 of that report; the funds listed are identical and the information should have been presented on one line for each fund and should be read as such (read line 21 with line 24; line 22 with line 25; line 23 with line 26). These assets are listed in my original 2005 report at lines 28-30 and at lines 29-31 of the attached amended report.

If you have any additional questions, please do not hesitate to call me.

Sincerely,


T.S. Ellis, III

Enclosure

TSE/ehp

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) Ellis, III, Thomas S	2. Court or Organization U.S. District Court, E.D. Va.	3. Date of Report 08/11/2006
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge (Active)	5a. Report Type (check appropriate type) ☐ Nomination, Date ☐ Initial ☒ Annual ☐ Final	6. Reporting Period 01/01/2005 to 12/31/2005
7. Chambers or Office Address 401 Courthouse Square 9th Floor Alexandria, VA 22314-5799	5b. ☒ Amended Report	
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.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. Advisory Board Member	Dean's Intellectual Property Law Advisory Board, George Washington University
2. Member	Judicial Conference Advisory Committee on Appellate Rules
3.	
4.	
5.	

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

☒ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

1.	
2.	
3.	

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FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Ellis, III, Thomas S

Date of Report

08/11/2006

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.		
2.		
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. 2005	Consumer Electronics Association
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. American Intellectual Property Law Association	National Academies Intellectual Property Program (Speaker) - Washington, D.C. - June 2005 - travel
2. ALI-ABA	Employment Law Program (Speaker) - Santa Fe, NM - July 2005 - food/lodging/travel
3. ABA	ABA Annual Meeting "Is Anything Secret Anymore?" (Speaker) - Chicago, IL - August 2005 - food/travel
4. Georgetown University Law Center CLE	Employment Law Program "Views from the Bench" (Speaker) - Washington, D.C. - November 2005 - travel
5.	

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Ellis, III, Thomas S

Date of Report

08/11/2006

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.		
2.		
3.		
4.		
5.		

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Ellis, III, Thomas S

Date of Report

08/11/2006

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				
	(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. Sensor		None	J	T					
2. Burke & Herbert Bank & Trust Co.		None	J	T					
3. Burke & Herbert Bank & Trust Co. (IRA #1)	A	Interest	J	T					
4. IRA #2:									
5. - American High Income Tr A	B	Dividend			sell	3/30	M	D	
6. - Capital World Growth & Income Fd A	A	Dividend			sell	3/30	M	E	
7. - Fundamental Investors Fd A	A	Dividend			sell	3/30	M	D	
8. - Growth Fund of America A		None			sell	3/30	M	E	
9. - Income Fund of America A	A	Dividend			sell	3/30	M	D	
10. - New Economy Fund A		None			sell	3/30	L	E	
11. - Washington Mutual Investors Fd A	A	Dividend			sell	3/30	L	D	
12. - Torray Institutional Fd (X)	A	Dividend			sell	11/3	L	B	
13. - Calamos Growth Fd A	B	Dividend	K	T	buy	4/5	K		
14. - Causeway Intl Value Fund Ins Shs	D	Dividend	M	T	buy	4/5	L		
15. - Century Small Cap Select Fd Instl	A	Dividend	K	T	buy	4/5	K		
16. - Cambiar Opportunity Fd	A	Dividend	L	T	buy	11/4	L		
17. - FMI Fds Focus Fd	C	Dividend	K	T	buy	4/5	K		

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	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	
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	T = Cash Market	

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Ellis, III, Thomas S

Date of Report

08/11/2006

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)
18. - Goldman Sachs Tr Finl Sq Mmkt I	A	Dividend	J	T	buy	4/5	J		
19. - Hotchkis & Wiley Mid Cap Value I	C	Dividend	K	T	buy	4/5	K		
20. - Julius Baer Intl Equity I		None	M	T	buy	4/5	L		
21. - Kinetics Sm Cap Opportunities I		None	K	T	buy	4/5	K		
22. - Legg Mason Value Trust		None	L	T	buy	4/5	L		
23. - Royce Total Return Fd CLW	B	Dividend	K	T	buy	4/5	K		
24. - TCW Galileo Fds Select Eq I		None	M	T	buy	4/5	L		
25. - TCW Galileo Fds Value Opp I		None	K	T	buy	4/5	K		
26. - Vanguard Windsor Fd II	C	Dividend	L	T	buy	4/5	L		
27. Evergreen U.S. Money Market Fund	A	Interest			sell	4/6	J	A	
28. 401(K):									
29. - Spartan U.S. Eq Index	A	Dividend	K	T					
30. - Fidelity Freedom 2020	B	Dividend	L	T					
31. - Fidelity Invst Gr Bd	A	Dividend	J	T					

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 Q = Appraisal U = Book Value	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
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FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Ellis, III, Thomas S

Date of Report

08/11/2006

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

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Ellis, III, Thomas S

Date of Report

08/11/2006

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

8/11/06

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

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2005

COPY 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) Ellis, III, Thomas S	2. Court or Organization U.S. District Court, E.D. Va.	3. Date of Report 05/15/2006
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge (Active)	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2005 to 12/31/2005
7. Chambers or Office Address 401 Courthouse Square 9th Floor Alexandria, VA 22314-5799	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. Advisory Board Member	Dean's Intellectual Property Law Advisory Board, George Washington University
2. Member	Judicial Conference Advisory Committee on Appellate Rules
3.	
4.	
5.	

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

☒ NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1.	
2.	
3.	

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FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

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Date of Report

05/15/2006

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.		
2.		
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. 2005	Consumer Electronics Association
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. American Intellectual Property Law Association	National Academies Intellectual Property Program (Speaker) - Washington, D.C. - June 2005 - travel
2. ALI-ABA	Employment Law Program (Speaker) - Santa Fe, NM - July 2005 - food/lodging/travel
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FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Ellis, III, Thomas S

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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.		
2.		
3.		
4.		
5.		

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Ellis, III, Thomas S

Date of Report

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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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						(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. Sensor		None	J	T					
2. Burke & Herbert Bank & Trust Co.		None	J	T					
3. Burke & Herbert Bank & Trust Co. (IRA #1)	A	Interest	J	T					
4. IRA #2:									
5. - American High Income Tr A	B	Dividend			sell	3/30	M	D	
6. - Capital World Growth & Income Fd A	A	Dividend			sell	3/30	M	E	
7. - Fundamental Investors Fd A	A	Dividend			sell	3/30	M	D	
8. - Growth Fund of America A		None			sell	3/30	M	E	
9. - Income Fund of America A	A	Dividend			sell	3/30	M	D	
10. - New Economy Fund A		None			sell	3/30	L	E	
11. - Washington Mutual Investors Fd A	A	Dividend			sell	3/30	L	D	
12. - Torray Institutional Fd	A	Dividend			sell	11/3	L	B	
13. - Calamos Growth Fd A	B	Dividend	K	T	buy	4/5	K		
14. - Causeway Intl Value Fund Ins Shs	D	Dividend	M	T	buy	4/5	L		
15. - Century Small Cap Select Fd Instl	A	Dividend	K	T	buy	4/5	K		
16. - Cambiar Opportunity Fd	A	Dividend	L	T	buy	11/4	L		
17. - FMI Fds Focus Fd	C	Dividend	K	T	buy	4/5	K		

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
N=\$250,001 - \$500,000 O=\$500,001 - \$1,000,000 P=\$1,000,001 - \$5,000,000 Q=\$5,000,001 - \$25,000,000 R=\$25,000,001 - \$50,000,000 S=\$50,000,001 - \$100,000,000 T=\$100,000,001 - \$500,000,000 U=\$500,000,001 - \$1,000,000,000 V=\$1,000,000,001 - \$5,000,000,000 W=\$5,000,000,001 - \$10,000,000,000 X=\$10,000,000,001 - \$50,000,000,000 Y=\$50,000,000,001 - \$100,000,000,000 Z=\$100,000,000,001 - \$500,000,000,000

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

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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. - Goldman Sachs Tr Finl Sq Mmkt I	A	Dividend	J	T	buy	4/5	J		
19. - Hotchkis & Wiley Mid Cap Value I	C	Dividend	K	T	buy	4/5	K		
20. - Julius Baer Intl Equity I		None	M	T	buy	4/5	L		
21. - Kinetics Sm Cap Opportunities I		None	K	T	buy	4/5	K		
22. - Legg Mason Value Trust		None	L	T	buy	4/5	L		
23. - Royce Total Return Fd CLW	B	Dividend	K	T	buy	4/5	K		
24. - TCW Galileo Fds Select Eq I		None	M	T	buy	4/5	L		
25. - TCW Galileo Fds Value Opp I		None	K	T	buy	4/5	K		
26. - Vanguard Windsor Fd II	C	Dividend	L	T	buy	4/5	L		
27. 401(K):									
28. - Spartan U.S. Eq Index	A	Dividend	K	T					
29. - Fidelity Freedom 2020	B	Dividend	L	T					
30. - Fidelity Invst Gr Bd	A	Dividend	J	T					

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

J = \$15,000 or less
K = \$15,001 - \$50,000

L = \$50,001 - \$100,000
M = \$100,001 - \$250,000

N = \$250,001 - \$500,000
O = \$500,001 - \$1,000,000

P = \$1,000,001 - \$5,000,000
Q = More than \$5,000,000

Name of Person Reporting	Date of Report
Ellis, III, Thomas S	05/15/2006

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

FINANCIAL DISCLOSURE REPORT

Page 7 of 7

Name of Person Reporting

Ellis, III, Thomas S

Date of Report

05/15/2006

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 _____

5/15/06

NOTE: ANY INDIVIDUAL WHOSE NAME APPEARS ON THIS REPORT AND CRIMINAL SANCTIONS

IF THE INDIVIDUAL VERIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL

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