

FINANCIAL DISCLOSURE REPORT

FOR CALENDAR YEAR 2004

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) MERRITT, Gilbert S.		2. Court or Organization U.S. Court of Appeals for the Sixth Circuit		3. Date of Report 5/12/05	
4. Title <i>(Article 112 judges indicate active or senior status. Magistrate judges indicate full- or part-time.)</i> Circuit Judge (Senior) U.S. Court of Appeals		5. Report Type (check appropriate type) _____ Nomination Date _____ _____ Initial ☒ Annual _____ Final _____		6. Reporting Period 1/01/04 - 12/31/04	
7. Chambers or Office Address 303 Customs House 701 Broadway Nashville, TN 37203		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. 4-13 of Instructions.)*

POSITION	NAME OF ORGANIZATION/ENTITY
NONE (No reportable positions.)	
Partner	Southern Properties & Co. ([REDACTED] real estate partnership)

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

DATE	PARTIES AND TERMS
☒ NONE (No reportable agreements.)	

III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of Instructions.)*

DATE	SOURCE AND TYPE	GROSS INCOME
A. Filer's Non-Investment Income		
NONE (No reportable non-investment income.)		
2004	Vanderbilt Univ. Law School -- teaching	\$ 5,000
		\$
		\$
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.)		
2004	Southern Properties -- rent	

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IV. REIMBURSEMENTS -- transportation, lodging, food, entertainment. (Includes those to spouse and dependent children. See pp. 25-27 of Instructions.)

	<u>SOURCE</u>	<u>DESCRIPTION</u>
	NONE (No such reportable reimbursements.)	
1	Freedom Forum	Reimbursement for air fare and taxi
2	Arlington, VA	March 25-26, 2004
3	University of Oregon	Honorarium & taxi
4	Eugene, Oregon	October 7-8, 2004
5	Defense Research Institute	Reimbursement for air fare & taxi
6	Chicago, IL	November 12, 2004
7		
8		

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

	<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
X	NONE (No such reportable gifts.)		
1			\$
2			\$
3			\$
4			\$

VI. LIABILITIES. (Includes those of spouse and dependent children. See pp. 32-33 of Instructions.)

	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE*</u>
	NONE (No reportable liabilities.)		
1	Union Planters Bank	Mortgage on Cookeville	P1
2	Nashville, TN	Commons Shopping Center	
3		(See § VII, line 7)	
4			
5			

*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 P1=\$1,000,001-\$5,000,000
 P2=\$5,000,001-\$25,000,000 P3=\$25,000,001-\$50,000,000 P4=\$50,000,001 or more

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VII. Page 1 INVESTMENTS and TRUSTS — income, value, transactions (Includes those of spouse and dependent children. See pp. 34-57 of Instructions.)

A. Description of Assets (including trust assets)	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1)	(2)	(1)	(2)	(1)	If not exempt from disclosure			
	Am't. 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)
NONE (No reportable income,									
Southern Properties & Co.									
(A) Westgate Shopping Ctr.	G	rent	P1	W					
(B) White Castle Nashville, TN	E	rent	N	W					
(C) 3 rental houses Nashville, TN	E	rent	N	W					
(D) Cash--interest bearing	E	int.	M	T					
Check & savings accts. SunTrust Bank Nashville, TN	A	int.	L	T					
Cookeville Commons Shopping Center Cookeville, TN	G	rent	P1	W					
Hermitage, TN	G	rent	P1	W	partial sale	2/1/04	P1	E1	Phillips Bldrs.
Art collection -- Paintings		none	M	W					
¹⁰ Airplane		none	M	W					
SunTrust Bank Account	E	int.	M	T					
¹¹ Berkshire Hathaway	A	Div.	K	T					
¹² Heartland Express	A	Div.	L	T					
¹³ Sigma Aldrich	A	Div.	L	T					
Equity Resid. Prop. Trust	A	Div.	L	T					
¹⁴ Tech Data Corp.	A	Div.	L	T					
U.S. Treas. Bills or Notes	D	Int.	0	I	3 sales and 3 purchases for reinvestment throughout the year by Schwab				
Nashville Bank & Trust A.O.			K	W	Buy	6/1/04	K		

1. Income (Gain) Codes (See Col. B1, 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 H=\$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 Col. C3, D1)	J=\$15,001 or less N=\$250,001-\$500,000 P3=\$25,000,001-\$50,000,000	K=\$15,001-\$50,000 O=\$500,001-\$1,000,000	L=\$50,001-\$100,000 P1=\$1,000,001-\$5,000,000 P4=More than \$50,000,000	M=\$100,001-\$250,000 P2=\$5,000,001-\$25,000,000	
3. Value Method Codes (See Col. C2)	Q=Appraisal U=Floor value	R=Cost (real estate only) V=Other	S=Assessment W=Estimated	T=Cash/Market	

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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS (Indicate part of Report.)**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 12, 2005

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