

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 <i>(Last name, first, middle initial)</i> MERRITT, Gilbert S.	2. Court or Organization U.S. Court of Appeals for the Sixth Circuit	3. Date of Report 5/10/06
4. Title <i>(Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)</i> Circuit Judge (Senior) U.S. Court of Appeals	5a. Report Type (check appropriate type) ___ Nomination, Date _____ ___ Initial <u>X</u> Annual ___ Final 5b. ___ Amended Report	6. Reporting Period 1/01/05 - 12/31/05
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. 9-13 of Instructions.)*

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
☐ NONE (No reportable positions.)	
1 Partner	Southern Properties & Co.
2	(redacted) real estate partnership
3	

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

<u>DATE</u>	<u>PARTIES AND TERMS</u>
☒ X NONE (No reportable agreements.)	
1	
2	

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

	<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u>
A. Filer's Non-Investment Income			
	☐ NONE (No reportable non-investment income.)		
1	2005	Vanderbilt Univ. Law School -- teaching	\$ 5,000.00
2			\$
3			\$
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.)		
1	2005	Southern Properties -- rent	
2			

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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		
2		
3		
4		
5		
6		
7		

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

	<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
☒	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			
2	Union Planters Bank Nashville, TN	Mortgage on Cookeville Commons Shopping Center (See § VII, line 7)	P1
3			
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. 34-60 of Instructions.)

A Description of Assets (including trust assets) <i>Place "(X)" after each asset exempt from prior disclosure</i>	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			
	Amt. Code1 (A-H)	Type (e.g., div., rent or int.)	Value Code2 (J-P)	Value Method Code3 (Q-W)	Type (e.g., buy, sell, merger, redemption)	(2) Date Month- Day	(3) Value Code2 (J-P)	(4) Gain Code1 (A-H)	(5) Identity of buyer/seller (if private transaction)
☐ NONE (No reportable income, assets, or transactions.)									
¹ Southern Properties & Co.									
² (A) Westgate Shopping Ctr.	G	rent	P1	W					
³ (B) White Castle Nashville, TN	E	rent	N	W					
⁴ (C) 3 rental houses Nashville, TN	E	rent	N	W					
⁵ (D) Cash--interest bearing (SunTrust Bank, Nashville, TN)	E	int.	M	T					
⁶ Check & savings accts. SunTrust Bank Nashville, TN	A	int.	L	T					
⁷ Cookeville Commons Shopping Center Cookeville, TN	G	rent	P1	W					
⁸ Oakwood Farm Hermitage, TN	A	rent	P1	W	partial sale	1/10 2005	G	E1	Phillips Bldrs.
⁹ Art collection -- Paintings		none	M	W					
¹⁰ Airplane		none	M	W					
¹¹ SunTrust Bank Account	A	int.	M	T					
¹² Berkshire Hathaway Heartland Express	A	Div.	M	T					
¹³ Sigma Aldrich Equity Resid. Prop. Trust	A	Div.	L	T					
¹⁴ Tech Data Corp.	A	Div.	M	T					
¹⁵ U.S. Treas. Bills or Notes	D	Int.	O	T	(3 sales and 3 purchases for reinvestment throughout the year by Schwab)				
¹⁶ Nashville Bank & Trust	A	O	K	W					
¹⁷ Vanguard Bond Fund	E	Int.	N	T	Buy	1/15 2005	T		Vanguard Fund

1	Income/Gain Codes: A=\$1,000 or less (See Col. B1, D4)	B=\$1,001-\$2,500 F=\$50,001-\$100,000	C=\$2,501-\$5,000 G=\$100,001-\$1,000,000	D=\$5,001-\$15,000 H1=\$1,000,001-\$5,000,000	E=\$15,001-\$50,000 H2=More than \$5,000,000
2	Value Codes: J=\$15,000 or less (See Col. C1, D3)	K=\$15,001-\$50,000 N=\$250,001-\$500,000 P3=\$25,000,001-\$50,000,000	L=\$50,001-\$100,000 O=\$500,001-\$1,000,000	M=\$100,001-\$250,000 P1=\$1,000,001-\$5,000,000 P4=More than \$5,000,000	
3	Value Method Codes: Q=Appraisal (See Col. C2)	R=Cost (real estate only) U=Book value	S=Assessment V=Other	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 5 U.S.C. § 501 et. seq., 5 U.S.C. § 7353 and Judicial Conference regulations.

Signature

Date May 10, 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