

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2010

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) Whitney, Frank D.	2. Court or Organization District Court - WDNC	3. Date of Report 5/6/2011
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) District Judge - Active	5a. Report Type (check appropriate type) ☐ Nomination, Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2010 to 12/31/2010
7. Chambers or Office Address Charles R. Jonas Federal Bldg 401 W. Trade St., Room 195 Charlotte, NC 28202	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. Member	Whitney Properties LLC
2. Power of Attorney	 Member #1
3. Trustee	Trust #1
4. Administrator	Estate #1 (estate closed 6/4/2010)
5. Director	Festival in the Park, Inc. (IRC § 501(c)(3))

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.	
2.	
3.	

Whitney , Frank D.

FINANCIAL DISCLOSURE REPORT

Page 2 of 6

Name of Person Reporting

Whitney, Frank D.

Date of Report

5/6/2011

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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1.		
2.		
3.		
4.		

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. 2010	Self-employed kitchen designer
2. 2010	South End Kitchens LLC - salary
3.	
4.	

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

<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1. Regents School of Law	2/5/2010 to 2/7/2010	Cheasapeake, VA	Serve as mootcourt judge for moot court competition	Transportation, meals, and lodging
2.				
3.				
4.				
5.				

FINANCIAL DISCLOSURE REPORT

Page 3 of 6

Name of Person Reporting

Whitney, Frank D.

Date of Report

5/6/2011

V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing 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. 32-33 of filing instructions.)*NONE *(No reportable liabilities.)*

<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1. Bank of America	Loan on Rental Property #1, Davidson, NC (Part VII, Line 1)	M
2. Bank of America	Loan on Rental Property #1, Sunset Beach, NC (Part VII, Line 3)	N
3.		
4.		
5.		

FINANCIAL DISCLOSURE REPORT

Page 4 of 6

Name of Person Reporting

Whitney, Frank D.

Date of Report

5/6/2011

VII. INVESTMENTS and TRUSTS – income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 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-I)	(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, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-I)	(5) Identity of buyer/seller (if private transaction)
1. Rental Property #1, Davidson, NC	D	Rent	N	W					
2. Whitney Properties, LLC:		None	O	W					
3. - Rental Property #1, Sunset Beach, NC	E	Rent	PI	W					
4. - Rental Property #2, Sunset Beach, NC	E	Rent	O	W					
5. - Rental Property #3, Sunset Beach, NC	E	Rent	O	W					
6. - Bank of America business accounts (Whitney Prop LLC)	A	Interest	K	T					
7. Carolina Panthers Permanent Seat License		None	J	W					
8. Co-author book, Lexis-Nexis, Newark, NJ (no inc since 2002)		None	J	W					
9. Bank of America savings and checking accounts inc:	A	Interest	J	T					
10. Belk Corp Common Stock, Charlotte, NC	A	Dividend	J	T					
11. BB&T (Sterling Capital) Equity Index Fund	A	Dividend	K	T					
12. BB&T Prime Fund	A	Interest	J	T					
13. United Parcel Service Class B	A	Dividend	J	T					
14. Fidelity Dividend Growth	A	Dividend	K	T					
15. Standard & Poors DEP RCPTS (SPY)	D	Dividend	M	T					
16. US Payroll Savings Bonds		None	J	T					
17. Trust #!:									

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 H11 = \$1,000,001 - \$5,000,000 H12 = 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 = \$250,001 - \$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 = More than \$50,000,000

3. Value Method Codes Q = Appraisal R = Cost (Real Estate Only) S = Assessment T = Cash Market
(See Column C2) U = Book Value V = Other W = Estimated

Page 5 of 6

Whitney, Frank D.

5/6/2011

1.	6. Judicial Representative to Board	Legal Services of Southern Piedmont, Inc. (IRC § 501(c)(3))
7.	Council Member & Treasurer	Government and Public Sector Section of the North Carolina Bar Association
8.	Advisory Member	North Carolina State Bar Ethics Committee
9.	Committee Member	Student Affairs Committee, UNC School of Law
10.	Board Member	May 20th Society (IRC § 501(c)(3))

A	B1	B2	C1	C2	D1	D2	D3	D4
---	----	----	----	----	----	----	----	----

18. - Standard & Poors DEPRCPTS (SPY)	A	Dividend	L	T		
19. Estate #1		(Decedent passed away 03/09; became administrator 3/23/09; estate closed 6/4/2010)				
20. - Bank of America Estate Checking Acc	A	None	D	T	Closed 6/4/2010	

FINANCIAL DISCLOSURE REPORT

Page 6 of 6

Name of Person Reporting

Whitney, Frank D.

Date of Report

5/6/2011

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: s/ **Frank D. Whitney**

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)

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