

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2013

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 05/14/2014
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 01/01/2013 to 12/31/2013
7. Chambers or Office Address Charles R. Jonas Federal Bldg 401 W. Trade St., Room 195 Charlotte, NC 28202		
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.		

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 (trst closed in 2013)
4. Member, Board of Directors	Festival in the Park, Inc. (IRC § 501(c)(3))
5. Advisory Member	North Carolina State Bar Ethics Committee
6. Judicial Representative to the Board of Directors	Legal Services of Southern Piedmont (IRC § 501(c)(3))
7. Vice Chair and Council Member	North Carolina Bar Association - Government and Public Sector Section Council & Veterans/Military Affairs Council
8. Member, Board of Directors	May 20th Society (IRC § 501(c)(3))
9. Awards Committee Member	North Carolina Heroes Fund (IRC § 501(c)(3))
10. Member, Board of Advisors	Charlotte Country Day School (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.	

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2. _____

3. _____

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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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2013	Charlotte School of Law, Adjunct Assistant Professor of Law	\$16,000.00
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. 2013	Self-employed kitchen designer
2. 2013	Kitchen & Bath Retail Group of NC, 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. North Carolina Bar Association	May 15 - 16, 2013	Cary, NC	CLE Speaker	Travel, lodging & meals
2. ABA Anti-Money Laundering Conference	November 16 - 19, 2013	Washington, DC	Speaker	Travel, lodging & meals
3.				
4.				
5.				
6.				

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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 (refinanced with Caliber Home Loans during reporting period)	Loan on Rental Property #1, Davidson, NC (Part VII, Line 1)	M
2.			
3.			
4.			
5.			

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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-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, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)

1. Rental Property #1, Davidson, NC	D	Rent	N	W					
2. Whitney Properties, LLC:									
3. - Rental Property #1, Sunset Beach, NC	D	Rent	N	W					
4. - Rental Property #2, Sunset Beach, NC	D	Rent	N	W					
5. - Bank of America business accounts (Whitney Prop LLC)	A	Interest	J	T					
6. Carolina Panthers Permanent Seat License		None	J	W					
7. Co-author book, Lexis-Nexis, Newark, NJ (no inc since 2002)		None	J	W					
8. Bank of America savings and checking accounts inc [REDACTED]	A	Interest	J	T					
9. USAA interest checking account	A	Interest	J	T					
10. Belk Corp Common Stock, Charlotte, NC	A	Dividend	J	T					
11. Bank of America Common Stock	A	Dividend	J	T					
12. BB&T Prime Fund & Insured Deposit Money Market accts	A	Interest	J	T					
13. BB&T Sterling Capital Fund Money Market	A	Interest			Sold	12/13/12	J	A	See Note in Part VIII
14. Standard & Poors DEP RCPTS (SPY)	D	Dividend	M	T					
15. US Payroll Savings Bonds	B	Interest			Redeemed	12/12/13	J	B	
16. Trust #1:									
17. - Standard & Poors DEP RCPTS (SPY)	A	Dividend			Sold	03/12/13	J	A	

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 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 \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

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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				
	(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, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)

18.									
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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
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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of report.)*

Part VII Line 13 - This was a very modest investment in a money market fund with a total value of \$97.54. My broker sold it and then consolidated the proceeds of the sale into my BB&T Prime Money Market Fund (Part VII, Line 12). The transaction occurred on 12/13/2012, before the reporting period for this 2013 Financial Disclosure Report. Because the transaction was so modest in amount, I did not notice it in reviewing my BB&T account statements in preparing my 2012 Financial Disclosure Report. I am now reporting it in my 2013 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. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature: **s/ Frank D. Whitney**

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILLFULLY 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
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