

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2011

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) Miller, Jr., Charles S.	2. Court or Organization District of North Dakota	3. Date of Report 05/14/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Magistrate Judge - full time	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 1/01/2011 to 12/31/2011
7. Chambers or Office Address 220 East Rosser Ave P.O. Box 670 Bismarck, ND 58502		
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. Insert signature on last page.		

I. POSITIONS. (Reporting individual only; see pp. 9-13 of filing instructions.)

☐ NONE (No reportable positions.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. Director & Secretary	Missouri Valley YMCA
2.	
3.	
4.	
5.	

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

☒ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

1.	
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.)*DATESOURCE AND TYPEINCOME

(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.)*DATESOURCE AND TYPE

1. _____

2. _____

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.)*SOURCEDATESLOCATIONPURPOSEITEMS PAID OR PROVIDED

1. _____

2. _____

3. _____

4. _____

5. _____

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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.	American Express	Credit Card	J
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. Wells Fargo Bank Accounts	A	Interest	J	T					
2.									
3.									
4. Brokerage #1									
5. --RTK--Common Stock		None	J	T					
6. --Fidelity Brokerage Services LLC Cash Account	A	Interest	J	T					
7.									
8.									
9. Brokerage #2									
10. --Schwab Money Market Fund			J	T					
11.									
12.									
13. IRA #1	B	Dividend	L	T					
14. --Fidelity Contrafund									
15. --Fidelity Puritan Fund									
16.									
17.									

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 \$50,000,000	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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18. IRA #2	A	Int./Div.	L	T					
19. --Schwab Money Market Fund									
20. --Schwab Cash Account									
21. --American Century Heritage Fd					Sold (part)	02/24/11	J	A	
22.					Sold	05/06/11	J	B	
23. --Calamos International Growth Fd					Buy (add'l)	04/28/11	J		
24.					Sold (part)	05/17/11	J	A	
25.					Buy (add'l)	09/20/11	J		
26.					Sold	12/30/11	J		
27. --Janus Global Technology Fd					Buy	10/19/11	J		
28.					Buy (add'l)	10/26/11	J		
29. --ProFundsMid Cap Value Inv					Buy	04/29/11	J		
30.					Sold	05/13/11	J		
31. --ProFunds Ultra Precious Metal Equity Fd					Buy	11/03/11	J		
32.					Buy (add'l)	12/02/11	J		
33.					Sold	12/05/11	J		
34. --Rydex Energy Fd					Buy	07/22/11	J		

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35.					Sold	09/08/11	J		
36. --Rydex Mid Cap Advantage H					Buy	04/01/11	J		
37.					Sold	04/19/11	J		
38. --Rydex OTC Fund					Sold (part)	02/24/11	J	A	
39.					Sold (part)	03/11/11	J	A	
40.					Sold (part)	04/13/11	J	A	
41.					Buy (add'l)	08/26/11	J		
42.					Buy (add'l)	10/07/11	J		
43.					Sold	11/16/11	J	A	
44. --Rydex Russell 2000 Small-Cap Index Fd					Sold	01/24/11	J	A	
45. --Rydex S&P Mid Cap 400 Pure Growth Fd					Buy	03/30/11	J		
46.					Buy (add'l)	04/01/11	J		
47.					Sold	12/29/11	J		
48. --Rydex S&P 500 Index Fd					Buy	12/15/11	J		
49. --Rydex S&P 500 Pure Growth Fd					Buy (add'l)	04/28/11	J		
50.					Buy (add'l)	12/15/11	J		
51. --Rydex S&P Small Cap 600 Pure Growth Fd					Buy	07/01/11	J		

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52.					Sold	07/27/11	J		
53. --Tocqueville Gold Fd					Buy (add'l)	02/04/11	J		
54.					Buy (add'l)	06/30/11	J		
55.					Sold	08/11/11	J	A	
56. --UMB Scout Mid Cap Fd					Buy	09/21/11	J		
57.					Sold	12/23/11	J		
58. --Wasatch World Innovators FD					Buy	10/05/11	J		
59.					Buy (add'l)	10/12/11	J		
60. --Weitz Partners Value Fd					Buy	12/22/11	J		
61. --Westcott Int'l Small Cap Equity Fd					Buy	06/30/11	J		
62.					Sold	10/26/11	J		
63. --Westcore Select Fd					Sold (part)	01/25/11	J	B	
64.					Sold	09/21/11	J	A	
65.									
66. SEP [REDACTED]	A	Int./Div.	L	T					
67. --(Same funds and transactions as IRA #2)									
68.									

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69.									
70. Wells Fargo Rollover C/F - Rollover IRA	E	Int./Div.	O	T					
71. --Wells Fargo Cash Sweep Account									
72. --Vanguard Index Tr 500 (VFINX)									
73. --Vanguard REIT ETF (VNQ)									
74. --Vanguard Energy ETF (VDE)									
75. --AA					Buy (add'l)	01/05/11	J		
76.					Sold (part)	02/02/11	J	A	
77.					Buy (add'l)	12/09/11	J		
78. --AAPL					Buy	03/14/11	K		
79.					Buy (add'l)	04/08/11	K		
80.					Buy (add'l)	04/18/11	J		
81.					Sold	07/19/11	K	C	
82. --ABT									
83. --ANW					Buy	01/11/11	J		
84.					Buy (add'l)	02/04/11	J		
85.					Buy (add'l)	10/21/11	J		

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86. --BA					Sold	02/11/11	J	B	
87. --BAMM					Buy	08/25/11	J		
88. --BLUD					Sold	07/26/11	J	A	
89. --BMO									
90. --BNS									
91. --CAG									
92. --CELG					Sold	04/25/11	J	B	
93. --CSCO					Buy (add'l)	03/28/11	J		
94.					Buy (add'l)	06/10/11	J		
95.					Sold (part)	12/20/11	J		
96. --CVX					Sold	03/10/11	J	B	
97. --EMR					Buy (add'l)	02/03/11	J		
98. --ESEA					Sold (part)	05/17/11	J	B	
99.					Sold	06/22/11	J		
100. --ESRX									
101. --ESV					Sold	02/02/11	J	C	
102. --ETN					Buy	08/03/11	J		

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103.					Buy (add'l)	08/05/11	J		
104. --FCX					Buy	08/23/11	J		
105.					Buy (add'l)	12/30/11	J		
106. --GIS									
107. --GLW					Buy	10/27/11	J		
108. --HCBK					Buy (add'l)	01/31/11	J		
109.					Buy (add'l)	04/11/11	J		
110.					Buy (add'l)	06/27/11	J		
111.					Buy (add'l)	08/08/11	J		
112.					Buy (add'l)	08/12/11	J		
113.					Buy (add'l)	08/23/11	J		
114.					Sold (part)	10/21/11	J		
115.					Sold (part)	10/27/11	J		
116. --INTC					Sold (part)	02/11/11	J		
117.					Buy (add'l)	09/02/11	J		
118. --JNJ									
119. --KBALB					Buy	01/11/11	J		

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120.					Sold	04/13/11	J	A	
121. --KO					Buy (add'l)	01/03/11	J		
122.					Buy (add'l)	01/10/11	J		
123.					Buy (add'l)	01/31/11	J		
124. --KSS					Buy (add'l)	01/03/11	J		
125.					Sold	07/08/11	J	A	
126. --LEG									
127. --MCD									
128. --MMM					Buy (add'l)	09/02/11	J		
129. --MSFT					Buy	06/10/11	J		
130. --NAT					Buy (add'l)	10/21/11	J		
131. --NVLS					Sold	01/31/11	J	A	
132. --ORCL					Sold	02/02/11	J	A	
133. --PG									
134. --PNC					Buy	01/03/11	J		
135.					Buy (add'l)	09/02/11	J		
136. --PRGN					Buy (add'l)	12/30/11	J		

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 \$50,000,000	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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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)
137. --QCOM					Sold	04/29/11	J	B	
138. --RMCF(x)					Sold	02/02/11	J	B	
139. --RY									
140. --SJM									
141. --SORL					Buy (add'l)	01/31/11	J		
142.					Buy (add'l)	05/10/11	J		
143.					Buy (add'l)	10/21/11	J		
144. --SVU					Buy (add'l)	01/13/11	J		
145.					Sold (part)	02/11/11	J		
146.					Buy (add'l)	03/22/11	J		
147.					Sold (part)	01/28/11	J	A	
148.					Sold (part)	04/18/11	J	B	
149.					Sold	04/25/11	J	B	
150. --SYK					Buy (add'l)	07/21/11	J		
151. --SYV									
152. --TEVA					Buy	07/08/11	J		
153. --TRGT									

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 \$50,000,000	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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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)

154. --TRST					Buy (add'l)	07/18/11	J		
155. --TYC					Sold	02/23/11	J	A	
156. --UNP									
157. --UTX									
158.									
159.									

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 \$50,000,000	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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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of report.)*

Part VII

Line 138 - error in prior repor stating RMCF was completely sold on November 16, 2010. Should have been a partial sale on that date. Error did not affect any the totals for the amounts reported for the Rollover IRA in the prior 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/ Charles S. Miller, Jr.**

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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