

FINANCIAL DISCLOSURE REPORT  
NOMINATION FILING

|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                    |                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| 1. Person Reporting (last name, first, middle initial)<br><br>Cogburn, Jr., Max O.                                                                                                                 | 2. Court or Organization<br><br>North Carolina - Western District                                                                                                                                                                                                  | 3. Date of Report<br><br>05/28/2010                       |
| 4. Title (Article III judges indicate active or senior status;<br>magistrate judges indicate full- or part-time)<br><br>District Judge - Nominee                                                   | 5a. Report Type (check appropriate type)<br><input checked="" type="checkbox"/> Nomination.      Date 05/27/2010<br><input type="checkbox"/> Initial <input type="checkbox"/> Annual <input type="checkbox"/> Final<br>5b. <input type="checkbox"/> Amended Report | 6. Reporting Period<br><br>01/01/2009<br>to<br>04/30/2010 |
| 7. Chambers or Office Address<br><br>77 Central Avenue, Suite E<br>Asheville, NC 28801                                                                                                             | 8. On the basis of the information contained in this Report and any<br>modifications pertaining thereto, it is, in my opinion, in compliance<br>with applicable laws and regulations.<br><br>Reviewing Officer _____ Date _____                                    |                                                           |
| IMPORTANT NOTES: The instructions accompanying this form must be followed. Complete all parts,<br>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. Trustee      | Trust 1                            |
| 2. Commissioner | North Carolina Education Lottery   |
| 3. Member       | Cogburn & Brazil, P.A.             |
| 4.              |                                    |
| 5.              |                                    |

## 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.          |                          |

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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.)

| DATE    | SOURCE AND TYPE                 | INCOME<br>(yours, not spouse's) |
|---------|---------------------------------|---------------------------------|
| 1. 2008 | Cogburn & Brazil, P.A. - Salary | \$137,601.09                    |
| 2. 2009 | Cogburn & Brazil, P.A. - Salary | \$120,500.12                    |
| 3. 2010 | Cogburn & Brazil, P.A. - Salary | \$41,346.20                     |
| 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.)

| DATE | SOURCE 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.)

| SOURCE    | DATES | LOCATION | PURPOSE | ITEMS PAID OR PROVIDED |
|-----------|-------|----------|---------|------------------------|
| 1. Exempt |       |          |         |                        |
| 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.)

| SOURCE    | DESCRIPTION | VALUE |
|-----------|-------------|-------|
| 1. Exempt |             |       |
| 2.        |             |       |
| 3.        |             |       |
| 4.        |             |       |
| 5.        |             |       |

VI. LIABILITIES. (Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)

☐ NONE (No reportable liabilities.)

| CREDITOR               | DESCRIPTION                                              | VALUE CODE |
|------------------------|----------------------------------------------------------|------------|
| 1. First Citizens Bank | Secured loan on family business property (1/4 of amount) | O          |
| 2. HomeTrust Bank      | Secured loan on office building (1/5 of amount)          | O          |
| 3. Bank of Asheville   | Loan for family businesses                               | L          |
| 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.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B.<br>Income during<br>reporting period |                                               | C.<br>Gross value at end of<br>reporting period |                                           | D.<br>Transactions during reporting period      |                               |                                 |                                |                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------|-------------------------------------------|-------------------------------------------------|-------------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>Month -<br>Day | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 1. Cogburn Family Properties, LLC Buncombe Co, NC- Land Holding                                                             | A                                       | Rent                                          | P1                                              | W                                         | Exempt                                          |                               |                                 |                                |                                                                   |
| 2. Ranchland Incorporated, Buncombe County, N.C. - Land Holding                                                             | A                                       | Rent                                          | P1                                              | W                                         |                                                 |                               |                                 |                                |                                                                   |
| 3. Pisgah View Ranch, Inc. - Operating Business                                                                             |                                         | None                                          | M                                               | W                                         |                                                 |                               |                                 |                                |                                                                   |
| 4. Pisgah Highland Conservancy LLC Buncombe Co NC-Land Holding                                                              |                                         | None                                          | M                                               | T                                         |                                                 |                               |                                 |                                |                                                                   |
| 5. Trust 1                                                                                                                  | A                                       | Distribution                                  | P1                                              | T                                         |                                                 |                               |                                 |                                |                                                                   |
| 6. MET Life: Whole Life - (No Control)                                                                                      | D                                       | Int./Div.                                     | K                                               | T                                         |                                                 |                               |                                 |                                |                                                                   |
| 7. Lincoln: Whole Life - (No Control)                                                                                       | A                                       | Int./Div.                                     | J                                               | T                                         |                                                 |                               |                                 |                                |                                                                   |
| 8. IRA Account                                                                                                              | D                                       | Int./Div.                                     | K                                               | T                                         |                                                 |                               |                                 |                                |                                                                   |
| 9. -Van Kampen Growth Fund (Sole Asset)                                                                                     |                                         |                                               |                                                 |                                           |                                                 |                               |                                 |                                |                                                                   |
| 10. Westar Financial Services Corp                                                                                          | A                                       | Int./Div.                                     | J                                               | T                                         |                                                 |                               |                                 |                                |                                                                   |
| 11. Double Eagle Stock                                                                                                      |                                         | None                                          | J                                               | T                                         |                                                 |                               |                                 |                                |                                                                   |
| 12. Franklin Ltd Maturity U.S. Gov Securities (Bonds)                                                                       | B                                       | Int./Div.                                     | L                                               | T                                         |                                                 |                               |                                 |                                |                                                                   |
| 13. Paul Revere: Whole Life                                                                                                 | C                                       | Int./Div.                                     | L                                               | T                                         |                                                 |                               |                                 |                                |                                                                   |
| 14.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                               |                                 |                                |                                                                   |
| 15.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                               |                                 |                                |                                                                   |
| 16.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                               |                                 |                                |                                                                   |
| 17.                                                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                               |                                 |                                |                                                                   |

|                                                  |                                                                                                                                          |                                                                                                                                                            |                                                                                                                                                                                         |                                                                                                                                         |                         |
|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 1. Income Gain Codes:<br>(See Columns B1 and D4) | A = \$1,000 or less<br>F = \$50,001 - \$100,000<br>J = \$15,000 or less<br>N = \$250,001 - \$500,000<br>P3 = \$25,000,001 - \$50,000,000 | B = \$1,001 - \$2,500<br>G = \$100,001 - \$1,000,000<br>K = \$15,001 - \$50,000<br>O = \$500,001 - \$1,000,000<br>R = Cost (Real Estate Only)<br>V = Other | C = \$2,501 - \$5,000<br>H1 = \$1,000,001 - \$5,000,000<br>L = \$50,001 - \$100,000<br>P1 = \$1,000,001 - \$5,000,000<br>P4 = More than \$50,000,000<br>S = Assessment<br>W = Estimated | D = \$5,001 - \$15,000<br>H2 = More than \$5,000,000<br>M = \$100,001 - \$250,000<br>P2 = \$5,000,001 - \$25,000,000<br>T = Cash Market | E = \$15,001 - \$50,000 |
|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------|

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

VII. Investments and Trusts

The first three entries in this section refer to two holding companies and an operating business for a contiguous piece of family owned real estate. The property is owned equally by my three sibilings and me. The land is divided into two holding companies, Cogburn Family Properties, LLC and Ranchland Incorporated. The third company, Pisgah View Ranch, Inc. operates a guest ranch on the property. My siblings and I own another separate piece of land, which is held in the Pisgah Highland Conservancy, LLC (see entry 4).

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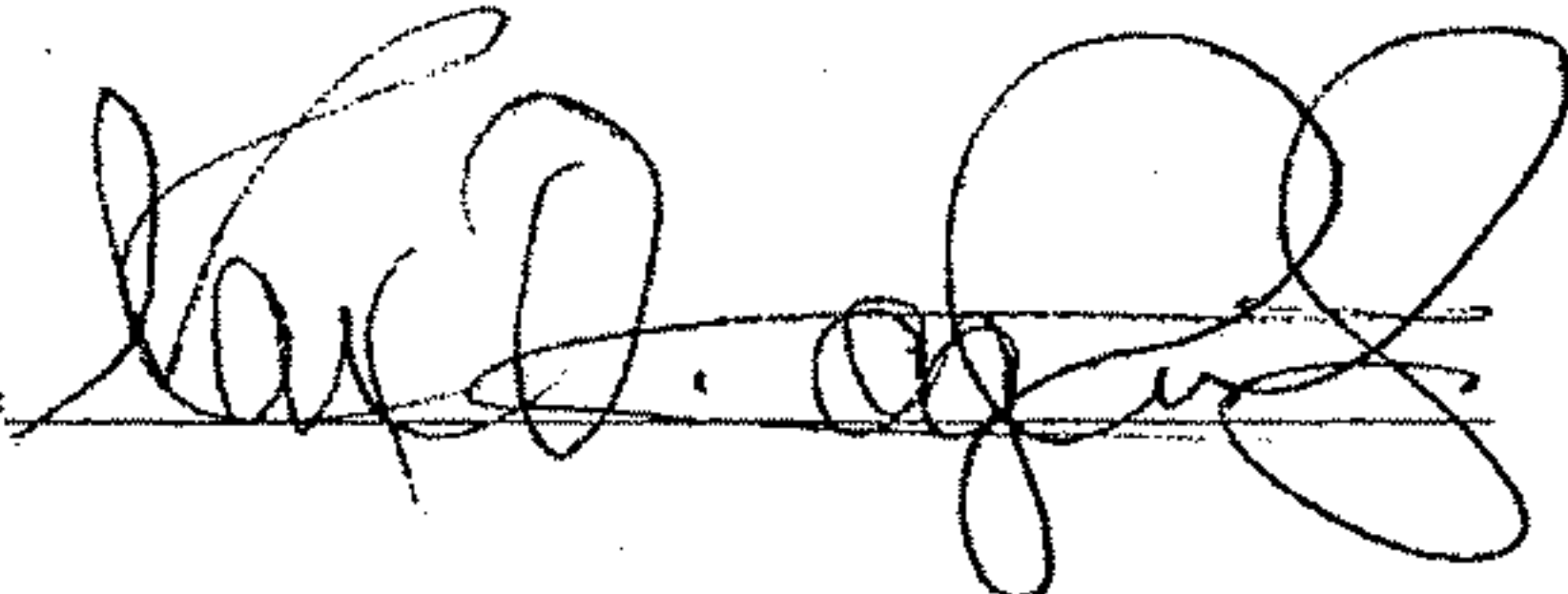
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IX. CERTIFICATION.

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



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

## NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

| ASSETS                                  |   |     |     | LIABILITIES                                        |    |     |     |
|-----------------------------------------|---|-----|-----|----------------------------------------------------|----|-----|-----|
| Cash on hand and in banks               |   | 40  | 000 | Notes payable to banks-secured                     |    |     |     |
| U.S. Government securities-add schedule |   |     |     | Notes payable to banks-unsecured                   |    |     |     |
| Listed securities - see schedule        |   | 10  | 762 | Notes payable to relatives                         |    |     |     |
| Unlisted securities--add schedule       |   |     |     | Notes payable to others                            |    |     |     |
| Accounts and notes receivable:          |   |     |     | Accounts and bills due                             |    | 1   | 000 |
| Due from relatives and friends          |   |     |     | Unpaid income tax                                  |    |     |     |
| Due from others                         |   |     |     | Other unpaid income and interest                   |    |     |     |
| Doubtful                                |   |     |     | Real estate mortgages payable -- see schedule      | 1  | 348 | 000 |
| Real estate owned - see schedule        | 9 | 100 | 000 | Chattel mortgages and other liens payable          |    |     |     |
| Real estate mortgages receivable        |   |     |     | Other debts-itemize:                               |    |     |     |
| Autos and other personal property       |   | 45  | 900 |                                                    |    |     |     |
| Cash value-life insurance               |   | 50  | 000 |                                                    |    |     |     |
| Other assets itemize:                   |   |     |     |                                                    |    |     |     |
| 401(k) Retirement Plan                  |   | 69  | 464 |                                                    |    |     |     |
| Thrift Savings Plan                     |   | 203 | 000 |                                                    |    |     |     |
| IRA Account (Van Kampen Fund)           |   | 18  | 000 | Total liabilities                                  | 1  | 349 | 000 |
|                                         |   |     |     | Net Worth                                          | 8  | 188 | 126 |
| Total Assets                            | 9 | 537 | 126 | Total liabilities and net worth                    | 9  | 537 | 126 |
| CONTINGENT LIABILITIES                  |   |     |     | GENERAL INFORMATION                                |    |     |     |
| As endorser, comaker or guarantor       |   |     |     | Are any assets pledged? (Add schedule)             | No |     |     |
| On leases or contracts                  |   |     |     | Are you a defendant in any suits or legal actions? | No |     |     |
| Legal Claims                            |   |     |     | Have you ever taken bankruptcy?                    | No |     |     |
| Provision for Federal Income Tax        |   |     |     |                                                    |    |     |     |
| Other special debt                      |   |     |     |                                                    |    |     |     |