

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2020

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 07/14/2021
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	6. Reporting Period 1/1/2020 to 12/31/2020
	5b. ☐ Amended Report	
7. Chambers or Office Address Charles R. Jonas Federal Building and United States Courthouse 401 West Trade Street, Room 6300 Charlotte, North Carolina 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. Power of Attorney	Person # 1
2. Executor	Estate # 1
3. Trustee	Trust #1 (Trust of Decedant from Estate #1)
4. Trustee	Trust # 2
5. Trustee	Trust #3
6. Member	Whitney Properties LLC
7. Member	Whitney Assets LLC
8. Board of Directors	Festival in the Park, Inc. (IRC section 501(c)(3) organization)
9. Advisory Member	North Carolina State Bar LAMP Committee
10. Council Member	North Carolina Bar Association (Government & Public Sector Section)
11. Board of Directors	May 20th Society (IRC section 501(c)(3) organization)
12. Board of Visitors	Charlotte Country Day School (IRC section 501(c)(3) organization)
13. Board of Visitors	Charlotte Bridge Home (IRC section 501(c)(3) organization)
14. Board of Directors	University of North Carolina School of Law - Law Alumni Association

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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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2020	UNC School of Law (Chapel Hill, NC)	\$7,999.92
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. 2020	Impact Design Resources - commission
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.)*

<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
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.		Vacation with friends at Sea Island, GA -- lodging and some food	\$1,200.00
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.	Caliber Home Loans (loan sold to Flagstar Bank, FSB)	Loan on Rental Property #1, Davidson, NC (Part VII, Line 1)	M
2.	US Department of Education - Student Loan Program (student loans)	Student loans	K
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			Sold	03/09/20	N	G	
2. Whitney Properties, LLC:									
3. - Rental Property #1, Sunset Beach, NC	E	Rent	O	W					
4. - Bank of America business accounts (Whitney Properties LLC)	A	Interest	J	T					
5. Whitney Assets LLC:									
6. - Rental Property #1 Holden Beach NC	E	Rent	O	R					
7. - Rental Property # 2, Holden Beach, NC (vacant lot)		None	M	R	Buy	12/14/20	M		
8. Carolina Panthers Permanent Seat License		None	K	W					
9. Co-author book, Lexis Law Publishing (no income since 2002),		None	J	W					
10. Bank of America savings and checking accounts	A	Interest	J	T					
11. USAA Bank checking & savings accounts	A	Interest	J	T					
12. Janney Advantage Insured Sweep (formally BB&T Fed Prime) (X)	A	Interest	J	T					
13. Townebank checking & savings (formally known as Paragon Bank) (X)	A	Interest	J	T					
14. Merrill Lynch CMA accounts	A	Interest	N	T					
15. Invesco S&P 500 Equal Weighted Index	A	Dividend	L	T					
16. Estate #1, Charlotte, NC:									
17. - Decedent's residence, Estate #1, Charlotte, NC					Sold	09/10/20	N	G	

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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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. Trust #1, Charlotte, NC:									
19. - Merrill Lynch CMA Cash Account	A	Interest	L	T					
20. - American Beacon	A	Dividend			Sold	08/12/20	K	A	
21. - Invesco S&P 500 Quality	A	Dividend			Sold	08/12/20	K	C	
22. - Ishares Select	B	Dividend			Sold	08/12/20	K	A	
23. - Ishares Russell Top 200	B	Dividend			Sold	08/12/20	K	A	
24. - SPDR S&P Dividend ETF	A	Dividend			Sold	08/12/20	K	A	
25. - Vanguard Dividend	A	Dividend			Sold	08/12/20	K	D	
26. - Vanguard FTSE Developed	A	Dividend			Sold	08/12/20	K	A	
27. - Wisdomtree US Quality	A	Dividend			Sold	08/12/20	K	D	
28. Trust # 2, Charlotte, NC:									
29. - Merrill Lynch CMA Cash Account	C	Interest	L	T					
30. - CD, Bank of America, NA	B	Interest			Redeemed	06/12/20	L		
31. Trust #3, Charlotte, NC:									
32. - Merrill Lynch CMA Cash Account	C	Interest	L	T					
33. - CD, Bank of America, NA	B	Interest			Redeemed	06/12/20	L		
34. CD, First Foundation Bank, Irvine, CA	A	Interest			Matured	06/04/20	K		

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

Part VII, Line A1: The sales price of the propety was \$325,000.

Part VII, Line A7: The purchase price of the property was \$225,000.

Part VII, Line A17: The sales price of the property was \$359,000.

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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
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544