

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2019

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) Volk, Frank W.	2. Court or Organization United States District Court, Southern District of W. Va.	3. Date of Report 10/03/2021
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) United States District Judge - Active	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final	6. Reporting Period 01/01/2019 to 12/31/2019
	5b. ☒ Amended Report	
7. Chambers or Office Address Frank W. Volk, United States District Judge United States District Court 300 Virginia Street East, Room 6408 Charleston, WV 25301		
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.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. Adjunct Lecturer of Law	West Virginia University College of Law
2. American Bankruptcy Law Journal	National Conference of Bankruptcy Judges
3.	
4.	
5.	

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

☐ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

1. 2019	I was teaching courses at the West Virginia University College of law.
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. 2019	West Virginia University College of Law (teaching)	\$6,500.00
2. 2019	American Bankruptcy Law Journal	\$6,000.00
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. 2019	West Virginia State Bar (employment income)
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. American Bankruptcy Institute	08/01/2019 to 08/02/2019	Hershey, PA	Panelist	Travel MI&E
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.		
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.		
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)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	Amount Code 1 (A-H)	Type (e g , div , rent, or int)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e g , buy, sell, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-H)	Identity of buyer/seller (if private transaction)
1. Fifth Third Bank Accounts	A	Interest	M	T					
2. Charleston Federal Credit Union	A	Interest	J	T					
3. Hartford Funds (Smart 529) Age-Based Portfolios			K	T					
4. Hartford Funds (Smart 529) Age-Based Portfolio			L	T					
5. TRANSCANADA USA (46840) (Y)	A	Dividend							
6. FID Growth Co Pool (Y)	A	Dividend	K	T					
7. VANG INST TR 2035 (Y)	A	Dividend	J	T					
8. FID 500 INDEX INST (Y)	A	Dividend	J	T					
9. VANG VMMR-FED MMKT (Y)	A	Int./Div.	J	T					
10. Dominion Res. Inc. Va. New (Brokerage #1) (Y)	A	Dividend	J	T					
11. Travelers Companies Inc. (Brokerage #1) (Y)	A	Dividend	J	T					
12. Travelers Companies Inc. (Brokerage #2)	A	Dividend	J	T					
13. AEP (Brokerage #2)	A	Dividend	J	T					
14. AT&T (Brokerage #2)	A	Dividend	J	T					
15. BP PLC SPONSORED ADR (Brokerage #2)	A	Dividend	J	T					
16. Dominion Resources Inc. New (Brokerage #2)	B	Dividend	L	T					
17. Emerson Electric Co. (Brokerage #2)	A	Dividend	J	T					

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)
18. Exelon Corp. (Brokerage #2)	A	Dividend	K	T					
19. Exxon Mobil Corp. (Brokerage #2)	B	Dividend	K	T					
20. Southern Co. (Brokerage #2)	A	Dividend	J	T					
21. Franklin Income Fund CL A (Brokerage #2)	A	Dividend	J	T					
22. Travelers Companies Inc. (Brokerage #2)	A	Dividend	J	T					
23. Travelers Companies Inc. (Brokerage #2)	A	Dividend	J	T					
24. Travelers Companies Inc. (Brokerage #2)	B	Dividend	L	T					
25. IRA (Brokerage #2)	D	Dividend	N	T					
26. JPM EMERGING MARKETS EQUITY A			J	T					
27. JPM INTERNATIONAL EQUITY A			J	T					
28. JPM INVESTOR GROWTH & INCOME A	A	Dividend	J	T					
29. JPM MORTGAGE-BACKED SECS A	A	Dividend	J	T					
30. JPMORGAN CORE BOND A	A	Dividend	J	T					
31. JPMORGAN CORE PLUS BOND A	A	Dividend	J	T					
32. JPMORGAN EQUITY INCOME A	A	Dividend	J	T					
33. JPMORGAN GROWTH ADVANTAGE A			J	T					
34. JPMORGAN LARGE CAP GROWTH A			J	T					

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	

Table with 2 columns: Name of Person Reporting, Date of Report. Row 1: Volk, Frank W., 10/03/2021

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.)

Table with 10 columns: A (Description of Assets), B (Income during reporting period), C (Gross value at end of reporting period), D (Transactions during reporting period), and 5 sub-columns for D. Rows include JPMORGAN MID CAP GROWTH A, JPMORGAN SMALL CAP GROWTH A, TransCanada Retirement Plan, and empty rows 38-43.

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, H1=\$1,000,001 - \$5,000,000, H2=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

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

Part VII. The balance and earnings on the account TransCanada Retirement Plan (Defined Bft. Cash Balance Pension), [REDACTED], are something to which [REDACTED] does not have access and those figures would need to be prepared by hand and sent to us in a letter. Extrapolating beyond the balance from a few years ago, and the low earnings rate, I have estimated the value and earnings of the account.

Part VII. The Smart 529 Plans were commenced over a decade ago, one for each [REDACTED]. The Hartford only provides income information for the life of the investment. The Hartford will not break it down for me by year, although I lodged a special request that it do so. I am thus left with little option to leave the income column blank. Please advise if the Committee desires the statements of account.

Part VII. The assets listed in 5 through 9 were during 2019 rolled over into an IRA at Brokerage #2 and resulted in the mutual funds now appearing in the listings found at 13 through 23. UPDATE 10/5/2021: In the Letter of Inquiry dated August 19, 2021, the Committee wrote as follows: "In Part VII, lines 5-11, you left Column C(1) blank and listed value method code 'T' in Column C(2). Please amend your report to provide the appropriate value codes (J-P4) for these assets." I have now made the requested change. Unfortunately, I am unable to get the information for line 5. If memory serves, this was employee stock. As noted, however, following the rollover Fidelity will no longer allow us to login and get the historical information I would need to update the information in Line 5. I was able to find an old statement to update the other referenced lines, but I could not get the information as to this item. Fidelity will not cooperate, despite two phone calls and repeated attempts to access the online statements. My apologies.

Part VII. The assets listed in numbers 10 and 11 for "Brokerage #1," were primarily held by [REDACTED] and, to the best of my recollection, were transferred to "Brokerage #2." The difficulty is that statement access for Brokerage #1 is online and it is not permitting me access to historical transactions for some reason so that I might see the income resulting. I feel extremely confident, however, that the amount reflected is accurate based upon information and belief.

Part VII. UPDATE 10/5/2021: In the Letter of Inquiry dated August 19, 2021, the Committee wrote as follows: "In Part VII, line 36, you listed 'IRA (Brokerage #2).' However, you are required to disclose the individual assets, stocks, and bonds that are part of an IRA. If an IRA contains mutual funds or widely held funds, e.g., Fidelity Global Balanced Fund, only the names of the funds and not the underlying stocks, bonds, or other assets, must be listed. If an IRA contains individual stocks, bonds, or assets, then each stock, bond, or asset needs to be listed individually." I apologize for the confusion. The referenced IRA contains mutual funds, all of which are now listed at lines 27-36.

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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 W. Volk**

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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