

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2016

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 05/04/2017
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 01/01/2016 to 12/31/2016
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.		

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

☐ NONE (No reportable positions.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. Director and Past President	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.	

FINANCIAL DISCLOSURE REPORT

Page 2 of 15

Name of Person Reporting

Miller, Jr., Charles S.

Date of Report

05/04/2017

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. _____

FINANCIAL DISCLOSURE REPORT

Page 3 of 15

Name of Person Reporting

Miller, Jr., Charles S.

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05/04/2017

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.		

FINANCIAL DISCLOSURE REPORT

Page 4 of 15

Name of Person Reporting

Miller, Jr., Charles S.

Date of Report

05/04/2017

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 (H)	A	Interest	K	T					
2.									
3.									
4. Brokerage #1 (H)									
5. --RTK--Common Stock		None	J	T					
6. --Fidelity Brokerage Services LLC Cash Account	A	Interest	J	T					
7.									
8.									
9. Brokerage #2 (H)									
10. --Schwab Money Market Fund		None	J	T					
11.									
12.									
13. IRA #1 (H)									
14. --Fidelity Contrafund	B	Dividend	L	T					
15. --Fidelity Puritan Fund	C	Dividend	L	T					
16.									
17.									

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	
3. Value Method Codes	P3 ~\$25,000,001 - \$50,000,000		P4 ~More than \$50,000,000		
(See Column C2)	Q ~Appraisal	R ~Cost (Real Estate Only)	S ~Assessment	T ~Cash Market	
	U ~Book Value	V ~Other	W ~Estimated		

FINANCIAL DISCLOSURE REPORT

Page 5 of 15

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18. IRA #2 (spouse) (H)									
19. --Schwab Cash Account	A	Interest	J	T					
20. --Gabelli Gold Fd	A	Dividend	J	T	Buy	11/03/16	J		
21.					Buy (add'l)	12/28/16	J		
22. --ProFunds Large Cap Value Fd	A	Dividend	K	T	Buy	07/14/16	J		
23.					Buy (add'l)	12/29/16	J		
24. --ProFunds Mid Cap Value Fd	A	Dividend			Buy	07/14/16	J		
25.					Buy (add'l)	12/29/16	J		
26.					Sold (part)	12/02/16	J	A	
27.					Sold	12/30/16	J	B	
28. --ProFunds NASDAQ 100 Fund		None			Buy	01/22/16	K		
29.					Sold	02/18/16	K		
30. --ProFunds Rising US Dollar Fd		None			Buy	01/13/16	K		
31.					Sold	03/17/16	K		
32. --ProFunds Short NASADQ 100 Fd		None			Buy	04/28/16	J		
33.					Sold	05/25/16	J		
34. --ProFunds Short Oil & Gas Fd		None			Buy	07/07/16	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	

FINANCIAL DISCLOSURE REPORT

Page 6 of 15

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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				
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35.					Sold	07/12/16	J		
36. --ProFunds Short Precious Metal Fd		None			Buy	04/25/16	J		
37.					Buy (add'l)	05/06/16	J		
38.					Sold	07/29/16	J		
39. --ProFunds Ultra Japan Fund		None			Buy	02/01/16	K		
40.					Sold	02/11/16	K		
41. --ProFunds UltraSector Health Care Fd		None			Sold	02/01/16	K		
42. --Profunds UltraShort China Eqty Fd		None			Buy	05/06/16	J		
43.					Sold	05/25/16	J	A	
44.					Buy	06/17/16	K		
45.					Sold	07/12/16	J		
46. --ProFunds UltraShort Emerging Mkt Eqty Fund		None			Buy	04/29/16	J		
47.					Buy (add'l)	05/03/16	J		
48.					Sold	05/26/16	K	A	
49. --Profunds UltraShort Latin America Eqty Fd		None			Buy	05/04/16	J		
50.					Buy (add'l)	05/06/16	J		
51.					Sold	07/12/16	J		

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FINANCIAL DISCLOSURE REPORT

Page 7 of 15

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52. --ProFunds US Gov't Plus Bond Fd		None	J	T	Buy	12/30/16	J		
53. --Rydex Banking Fd		None			Buy	05/26/16	K		
54.					Sold	07/01/16	K		
55.					Buy	10/26/16	J		
56.					Sold	11/14/16	J	A	
57. --Rydex Biotechnology Fd		None	J	T	Sold	01/13/16	K		
58.					Buy	07/22/16	J		
59.					Sold	08/25/16	J	A	
60.					Buy	09/23/16	J		
61. --Rydex Dynamic Strengthening US Dollar Fd		None			Buy	04/22/16	K		
62.					Sold	07/14/16	K	A	
63. --Rydex Dynamic Weakening US Dollar Fd		None			Buy	03/17/16	K		
64.					Sold	04/22/16	K		
65. --Rydex Energy Fd		None			Buy	08/19/16	J		
66.					Sold	10/25/16	J		
67. --Rydex Europe Advantage Fd		None			Buy	04/20/16	J		
68.					Buy (add'l)	05/27/16	J		

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FINANCIAL DISCLOSURE REPORT

Page 8 of 15

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Miller, Jr., Charles S.

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69.					Sold	06/10/16	K		
70. --Rydex Health Care Fund		None			Buy	04/05/16	J		
71.					Sold	05/05/16	J	A	
72.					Buy	06/03/16	K		
73.					Sold	08/26/16	K	A	
74. --Rydex Inverse NASDAQ 100 Fd		None			Buy	03/03/16	K		
75.					Sold	03/14/16	K		
76. --Rydex Inverse S&P 500 Fd		None			Buy	03/08/16	K		
77.					Sold	03/14/16	K		
78. --Rydex Leisure Fd		None			Buy	03/17/16	K		
79.					Sold	05/19/16	K		
80. --Rydex Nasdaq 100 Fund		None	J	T	Buy (add'l)	01/14/16	J		
81.					Sold	03/03/16	K		
82.					Buy	12/20/16	J		
83. --Rydex Precious Metals Fund	A	Distribution	J	T	Sold	01/19/16	J		
84.					Buy	11/01/16	J		
85.					Buy (add'l)	11/15/16	J		

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FINANCIAL DISCLOSURE REPORT

Page 9 of 15

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86.					Buy (add'l)	12/02/16	J		
87. --Rydex Real Estate FD		None			Buy	03/30/16	K		
88.					Sold	04/22/16	K		
89.					Buy	07/29/16	J		
90.					Sold	08/15/16	J		
91. --Rydex S&P 500 Index Fd	A	Dividend	K	T	Buy	01/22/16	K		
92.					Sold	03/08/16	K	A	
93.					Buy	07/12/16	J		
94.					Buy (add'l)	12/06/16	J		
95. --Rydex S&P 500 Pure Value Fd	A	Dividend	J	T	Buy	03/18/16	J		
96.					Sold	04/05/16	J		
97.					Buy	11/10/16	J		
98.					Buy (add'l)	11/15/16	J		
99.					Buy (add'l)	11/17/16	J		
100. --Rydex S&P Mid Cap 400 Pure Value Fd	A	Dividend			Buy	07/12/16	J		
101.					Buy (add'l)	11/17/16	J		
102.					Sold (part)	12/01/16	J	A	

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FINANCIAL DISCLOSURE REPORT

Page 10 of 15

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103.					Sold	12/29/16	J	B	
104. --Rydex US Gov't Bond Fd	A	Dividend	K	T	Buy	03/24/16	K		
105.					Sold	04/20/16	K	A	
106.					Buy	12/29/16	K		
107. --Rydex Utilities Fd	B	Dividend	J	T	Buy	09/02/16	J		
108.					Buy (add'l)	11/15/16	J		
109. --Schwab Intermediate-Term Bond Fd.	A	Dividend			Buy	03/24/16	K		
110.					Sold	07/12/16	K	A	
111. --Schwab S&P 500 Fd	A	Dividend	J	T	Sold	04/28/16	K	A	
112.					Buy	12/01/16	J		
113.					Buy (add'l)	12/19/16	J		
114. --Scwab Short-Term Bond Market Fd	A	Dividend			Buy	03/24/16	K		
115.					Sold	07/12/16	K	A	
116. --Tocqueville Gold Fund					Sold	02/09/16	J	B	
117.									
118.									
119.									

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FINANCIAL DISCLOSURE REPORT

Page 11 of 15

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120. Wells Fargo Rollover IRA - IRA #3 (H)									
121. --Wells Fargo Cash Sweep Account	A	Int./Div.	M	T	Distributed (part)	01/22/16	K		
122. --Vanguard Energy ETF (VDE)	A	Dividend	J	T					
123. --Vanguard Intermediate Bond ETF (BIV)	A	Dividend	K	T					
124. --Vanguard Small Cap Growth Fd (VBK)	A	Dividend	K	T					
125. --Convertible notes payable by CBIO due 8/19/18		None	J	T					
126. --AAPL	A	Dividend	K	T					
127. --ABT	A	Dividend	J	T					
128. --BKS	A	Dividend	J	T					
129. --BNED	A	Dividend	J	T					
130. --BNS	B	Dividend	K	T	Buy (add'l)	02/16/16	J		
131. --CAG	A	Dividend	J	T					
132. --CAT	A	Dividend	K	T					
133. --CBIO		None	J	T					
134. --CSCO	A	Dividend	J	T					
135. --EMR	A	Dividend	K	T					
136. --ETN	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	

FINANCIAL DISCLOSURE REPORT

Page 12 of 15

Name of Person Reporting

Miller, Jr., Charles S.

Date of Report

05/04/2017

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. --FCX		None	J	T					
138. --GIS	A	Dividend	J	T					
139. --HRL	A	Dividend	J	T					
140. --INTC	A	Dividend	J	T					
141. --JNJ	A	Dividend	K	T					
142. --LEG	A	Dividend	K	T					
143. --LW	A	Dividend	J	T	Spinoff (from line 131)	11/10/16	J		
144. --MCD	A	Dividend	K	T					
145. --MMM	B	Dividend	L	T					
146. --NAO (formerly listed NAQ in error)	A	Dividend	J	T					
147. --NAT	C	Dividend	K	T					
148. --NSC	A	Dividend	J	T					
149. --PG	B	Dividend	K	T					
150. --RMCF	B	Dividend	K	T					
151. --RY	A	Dividend	J	T					
152. --SJM	A	Dividend	K	T					
153. --SURL		None	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	

FINANCIAL DISCLOSURE REPORT

Page 13 of 15

Name of Person Reporting

Miller, Jr., Charles S.

Date of Report

05/04/2017

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. --SYY	A	Dividend	K	T					
155. --TD	A	Dividend	J	T					
156. --TRES		None	J	T					
157. --TRST	A	Dividend	K	T					
158. --UNP	B	Dividend	L	T					
159. --UTX	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	

FINANCIAL DISCLOSURE REPORT

Page 14 of 15

Name of Person Reporting

Miller, Jr., Charles S.

Date of Report

05/04/2017

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

FINANCIAL DISCLOSURE REPORT

Page 15 of 15

Name of Person Reporting

Miller, Jr., Charles S.

Date of Report

05/04/2017

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
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