

# FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2014

Report Required by the Ethics  
in Government Act of 1978  
(5 U.S.C. app. §§ 101-111)

|                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                          |                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <b>1. Person Reporting (last name, first, middle initial)</b><br><br>Whitney, Frank D.                                                                                                                    | <b>2. Court or Organization</b><br><br>District Court - WDNC                                                                                                                                                                                                                             | <b>3. Date of Report</b><br><br>07/18/2015                       |
| <b>4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)</b><br><br>District Judge - Active                                                       | <b>5a. Report Type (check appropriate type)</b><br><input type="checkbox"/> Nomination <input type="checkbox"/> Date<br><input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final<br><b>5b.</b> <input type="checkbox"/> Amended Report | <b>6. Reporting Period</b><br><br>01/01/2014<br>to<br>12/31/2014 |
| <b>7. Chambers or Office Address</b><br><br>Charles R. Jonas Federal Building & US Courthouse<br>401 W. Trade St., Room 195<br>Charlotte, NC 28202                                                        |                                                                                                                                                                                                                                                                                          |                                                                  |
| <p align="center"><b>IMPORTANT NOTES:</b> The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information.</p> |                                                                                                                                                                                                                                                                                          |                                                                  |

## 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. Member                                            | Whitney Properties LLC                                                                                            |
| 2. Power of Attorney                                 | Person #1                                                                                                         |
| 3. Member, Board of Directors                        | Festival in the Park, Inc. (IRC § 501(c)(3))                                                                      |
| 4. Advisory Member                                   | North Carolina State Bar Ethics Committee and LAMP Committee                                                      |
| 5. Judicial Representative to the Board of Directors | Legal Services of Southern Piedmont (IRC § 501(c)(3))                                                             |
| 6. Chair and Council Member                          | North Carolina Bar Association - Government and Public Sector Section Council & Veterans/Military Affairs Council |
| 7. Member, Board of Directors                        | May 20th Society (IRC § 501(c)(3))                                                                                |
| 8. Awards Committee Member                           | North Carolina Heroes Fund (IRC § 501(c)(3))                                                                      |
| 9. Member, Board of Advisors                         | Charlotte Country Day School (IRC § 501(c)(3))                                                                    |
| 10. Member, Board of Visitors                        | Charlotte School of Law                                                                                           |

## 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.          |                          |

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|--------------------------|----------------|
| Whitney, Frank D.        | 07/18/2015     |

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><br>(yours, not spouse's) |
|-------------|-------------------------------------------------------------|----------------------------------------|
| 1. 2014     | Charlotte School of Law, Adjunct Assistant Professor of Law | \$26,000.00                            |
| 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. 2014     | Self-employed kitchen designer                  |
| 2. 2014     | Kitchen & Bath Retail Group of NC, LLC - salary |
| 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. North Carolina Bar Association  | 2/25-2/25; 4/11-4/11;<br>5/6-5/6; 6/5-6/6;<br>9/15-9/16; 10/3-10/4;<br>12/12-12/12 | Cary, NC; Winston-Salem,<br>NC; Southern Pines, NC;<br>Greensboro, NC | Board and Council<br>Meetings and Panelist | Meals                         |
| 2. Federal Circuit Bar Association | 6/18-6/19                                                                          | Asheville, NC                                                         | Speaker/Panelist                           | Travel, lodging & meals       |
| 3. American Bar Association        | 8/7-8/8                                                                            | Boston, MA                                                            | Speaker/Panelist                           | Travel, lodging & meals       |
| 4. Bloomberg BNA                   | 11/13-11/13                                                                        | Washington, DC                                                        | Speaker/Panelist                           | Travel, lodging & meals       |
| 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. | Caliber Home Loans | Loan on Rental Property #1, Davidson, NC (Part VII, Line 1) | M                 |
| 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.<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<br>of 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>mm/dd/yy | (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. Rental Property #1, Davidson, NC                                  | D | Rent         | N | W |      |          |   |  |  |
| 2. Whitney Properties, LLC:                                          |   |              |   |   |      |          |   |  |  |
| 3. - Rental Property #1, Sunset Beach, NC                            | D | Rent         | N | W |      |          |   |  |  |
| 4. - Rental Property #2, Sunset Beach, NC                            | D | Rent         | N | W |      |          |   |  |  |
| 5. - Bank of America business accounts<br>(Whitney Prop LLC)         | A | Interest     | J | T |      |          |   |  |  |
| 6. Carolina Panthers Permanent Seat License                          |   | None         | J | W |      |          |   |  |  |
| 7. Co-author book, Lexis-Nexis, Newark, NJ<br>(no inc since 2002)    |   | None         | J | W |      |          |   |  |  |
| 8. Bank of America savings and checking<br>accounts including spouse | A | Interest     | J | T |      |          |   |  |  |
| 9. USAA interest checking account                                    | A | Interest     | J | T |      |          |   |  |  |
| 10. Belk Corp Common Stock, Charlotte, NC                            | A | Dividend     | J | T |      |          |   |  |  |
| 11. Bank of America Common Stock                                     | A | Dividend     | J | T |      |          |   |  |  |
| 12. BB&T Prime Fund & Insured Deposit<br>Money Market accts          | A | Interest     | J | T |      |          |   |  |  |
| 13. Standard & Poors DEP RCPTS (SPY)                                 | D | Dividend     | M | T |      |          |   |  |  |
| 14. Oaktree Capital Group LLC Unit CL A                              | B | Distribution | K | T | Buy  | 10/01/14 | K |  |  |
| 15. Paragon Bank interest checking account                           | A | Interest     | J | T | Open | 07/01/14 | J |  |  |
| 16.                                                                  |   |              |   |   |      |          |   |  |  |
| 17.                                                                  |   |              |   |   |      |          |   |  |  |

|                                                  |                                                                                       |                                                        |                                                                                           |                                                              |                         |
|--------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------|
| 1. Income Gain Codes:<br>(See Columns B1 and D4) | A = \$1,000 or less<br>F = \$50,001 - \$100,000                                       | B = \$1,001 - \$2,500<br>G = \$100,001 - \$1,000,000   | C = \$2,501 - \$5,000<br>H1 = \$1,000,001 - \$5,000,000                                   | D = \$5,001 - \$15,000<br>H2 = More than \$5,000,000         | E = \$15,001 - \$50,000 |
| 2. Value Codes:<br>(See Columns C1 and D3)       | J = \$15,000 or less<br>N = \$250,001 - \$500,000<br>P3 = \$25,000,001 - \$50,000,000 | K = \$15,001 - \$50,000<br>O = \$500,001 - \$1,000,000 | L = \$50,001 - \$100,000<br>P1 = \$1,000,001 - \$5,000,000<br>P4 = More than \$50,000,000 | M = \$100,001 - \$250,000<br>P2 = \$5,000,001 - \$25,000,000 |                         |
| 3. Value Method Codes:<br>(See Column C2)        | Q = Appraisal<br>U = Book Value                                                       | R = Cost (Real Estate Only)<br>V = Other               | S = Assessment<br>W = Estimated                                                           | T = Cash Market                                              |                         |

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**VIII. ADDITIONAL INFORMATION OR EXPLANATIONS.** *(Indicate part of 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/ **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  
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