

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2012

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) Fitzwater, Sidney A.	2. Court or Organization U.S. District Court, Northern District of Texas	3. Date of Report 03/18/2013
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Chief U.S. District Judge - Active	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2012 to 12/31/2012
7. Chambers or Office Address U.S. Courthouse 1100 Commerce St., Room 1528 Dallas, Texas 75242-1035		
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. Co-Executor	Estate #4 (See Part VIII).
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 10

Name of Person Reporting

Fitzwater, Sidney A.

Date of Report

03/18/2013

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 (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.)*

DATE	SOURCE AND TYPE
1. 2012	- salary
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. The Freedom Forum, Arlington, VA (First Amendment Center, Inc., Nashville, TN)	February 16-18, 2012	Nashville, TN	Judge moot court competition	Airfare, hotel, transportation, and food
2. The Catholic Foundation of the Diocese of Lubbock	October 1-3, 2012	Lubbock, TX	Keynote Speaker at Red Mass	Airfare, hotel, transportation, and food
3.				
4.				
5.				

FINANCIAL DISCLOSURE REPORT

Page 3 of 10

Name of Person Reporting

Fitzwater, Sidney A.

Date of Report

03/18/2013

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.		
2.		
3.		
4.		
5.		

FINANCIAL DISCLOSURE REPORT

Page 4 of 10

Name of Person Reporting

Fitzwater, Sidney A.

Date of Report

03/18/2013

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. American Funds-Wash. Mut. Invs. Fund-A	A	Dividend	J	T					
2. UBS Bank USA Deposit Acct.	A	Interest	J	T					
3. 3M Corp. Common Stock	A	Dividend	J	T					
4. J.P. Morgan Chase & Co. Common Stock	A	Dividend	J	T					
5. Trust # 2 (Nos. 5-9)	C	Int./Div.	M	T					
6. - UBS Resource Mgmt. Acct (Money Market Portfolio)									
7. - Calamos Growth Fund									
8. - Lord Abbett Affiliated Fund									
9. - UBS Global Allocation Fund									
10. Calamos Growth and Income Fund	A	Dividend	J	T					
11. Lord Abbett Affiliated Fund	A	Dividend	J	T					
12. Lord Abbett Fundamental Equity	A	Dividend	J	T					
13. MFS Research Bond Fund	A	Dividend	J	T					
14. UBS Global Allocation Fund	A	Dividend	J	T					
15. Lincoln Nat'l Corp. Secure Line	C	Interest	N	T					
16. Estate # 4 (Nos. 16-18) (See Part VIII)	A	Interest							
17. - Frost Bank (Account)					Closed	11/23/12	K		

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		

FINANCIAL DISCLOSURE REPORT

Page 5 of 10

Name of Person Reporting

Fitzwater, Sidney A.

Date of Report

03/18/2013

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 I (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. - Cemetery Plots, Bexar County, Texas (See Part VIII)					Distributed	09/08/12	J		
19. IRA #1 (Nos. 19-25)	D	Int./Div.	M	T					
20. - UBS Bank USA Deposit Account									
21. - Royce Premier Fund									
22. - Blackrock Strategic Income A									
23. - Blackrock Global Allocation Fund Inc. A									
24. - First Eagle Global Fund Class A (See Part VIII)					Sold (part)	12/03/12	J	A	
25. - FT-Franklin Income (See Part VIII)					Sold (part)	12/03/12	J		
26. UBS Bank USA Deposit Acct (aggregate of two accts)	A	Interest	J	T					
27. Aberdeen Asia-Pacific Income Fund	A	Dividend	J	T					
28. Ameren Corporation Common Stock	A	Dividend	J	T					
29. Consolidated Edison, Inc. Common Stock	A	Dividend	K	T					
30. Dominion Resources, Inc. Common Stock	A	Dividend	K	T					
31. Dreyfus Strategic Municipals Inc. (Closed-End Fund)	A	Int./Div.	J	T					
32. Duke Energy Corp. Common Stock	A	Dividend	J	T	Buy (add'l)	01/26/12	J		
33. Entergy Corp. Common Stock	A	Dividend	J	T					
34. Exelon Corp. Common Stock	B	Dividend	K	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 6 of 10

Name of Person Reporting

Fitzwater, Sidney A.

Date of Report

03/18/2013

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)

35. ExxonMobil Corp. Common Stock	C	Dividend	M	T					
36. Firstenergy Corp. Common Stock	A	Dividend	J	T					
37. NextEra Energy, Inc. Common Stock	A	Dividend	K	T					
38. Hawaiian Electric Industries Inc. Common Stock	A	Dividend	K	T					
39. Integrys Energy Group Inc. Common Stock	A	Dividend	J	T					
40. Express Scripts Holding Co. Common Stock (See Part VIII)		None	J	T	Sold (part)	04/03/12	J	A	
41. Merck & Co. Inc. Common Stock	A	Dividend	K	T	Buy (add'l)	01/26/12	J		
42. Monsanto Co. New Common Stock	A	Dividend	J	T					
43. Nuveen Dividend Advantage Municipal Fund	A	Int./Div.	J	T					
44. Nuveen Dividend Advantage Munic. Fd 2	B	Int./Div.	K	T					
45. Nuveen Dividend Advantage Municipal Fd 3	B	Int./Div.	K	T					
46. Nuveen Opportunity Prem. Inc. Fund	A	Interest	J	T					
47. Nuveen Municipal Advantage Fund Inc	A	Int./Div.	J	T					
48. Nuveen Municipal Value Fund Inc.	B	Int./Div.	K	T					
49. Nuveen Premium Inc. Mun. Fund Inc.	A	Interest	J	T					
50. Nuveen Premium Inc. Mun. Fund 2 Inc.	B	Int./Div.	K	T					
51. Nuveen Premier Municipal Opportunity Fund Inc.	A	Interest	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 7 of 10

Name of Person Reporting

Fitzwater, Sidney A.

Date of Report

03/18/2013

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)
52. Nuveen Select Maturities Municipal Fund	A	Interest	K	T					
53. Pepco Holdings Inc. Common Stock	B	Dividend	K	T	Buy (add'l)	01/26/12	J		
54. Pepsico, Inc. Common Stock	A	Dividend	K	T	Buy (add'l)	01/26/12	K		
55. Pfizer Inc. Common Stock	A	Dividend	J	T	Buy (add'l)	01/26/12	J		
56. Spectra Energy Corp. Common Stock	A	Dividend	J	T					
57. TECO Energy Inc. Common Stock	A	Dividend	J	T					
58. Invesco Van Kampen Municipal Opportunity Trust (See Pt VIII)	A	Interest	J	T					
59. Westar Energy Inc. Common Stock	A	Dividend	J	T					
60. Xcel Energy Inc. Common Stock	A	Dividend	K	T					
61. Nuveen Series Tax Exempt Unit Trust	A	Interest	J	T					
62. Insured Municipals Inc. Trust Unit Ser.	A	Interest	J	T					
63. Nuveen Investment Quality Municipal Fund, Inc.	C	Int./Div.	K	T					
64. John Hancock Venture Vantage (Annuity)		None	L	T					
65. TIAA-CREF Savings and Investment Plan (Annuity)		None	M	T					
66. TIAA-CREF (Inherited IRA) Managed Allocation Fund II R		None	L	T					
67. USAA Tax Exempt Long-Term Bond Fund	D	Dividend	M	T					
68. Blackrock Strategic Income A	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 \$5,000,000	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 8 of 10

Name of Person Reporting

Fitzwater, Sidney A.

Date of Report

03/18/2013

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)
69. Cemetery Plots, Bexar County, Texas (X) (See Part VIII)		None			Donated				
70. Emerson Electric Co. Common Stock (X)	A	Dividend	J	T	Buy	01/26/12	J		
71. Royal Dutch Shell PLC Common Stock (X)	A	Dividend	J	T	Buy	01/26/12	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 \$5,000,000	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 9 of 10

Name of Person Reporting

Fitzwater, Sidney A.

Date of Report

03/18/2013

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

Part I (Estate #4)

All assets of Estate #4 were distributed in 2012. Although the Probate Court case remains open (to avoid unnecessary costs associated with reopening the case, if necessary), the Estate is now inactive. Accordingly, I do not anticipate reporting the position of Co-Executor or any Estate #4 assets in my 2013 Financial Disclosure Report.

I am ethically permitted to serve as Co-Executor of Estate #4 because I am doing so under the will of a family member who died in 2010, and such service does not interfere with the proper performance of my judicial duties.

The Estate is designated as Estate #4 to differentiate it from estates referred to in prior reports.

Please see below for additional explanations concerning assets reported for Estate #4.

Part VII, Item Nos. 16-18 (Estate #4)

All remaining reportable assets and transactions of Estate #4 are disclosed in Part VII. No gross value is disclosed in Column C because all remaining reportable assets of Estate #4 were closed or distributed before December 31, 2012.

The term "Distributed" is used to indicate that the asset was distributed from the Estate to the beneficiaries under the family member's will.

Part VII, Item No. 18

No gain code is shown in Column D(4) of Item No. 18 because the transaction was a distribution to the Estate beneficiaries, and the transaction did not result in a gain. My undivided interest in Item No. 18 is reflected in Item No. 69. After I received my interest, I donated it, as reflected in column D(1) of Item No. 69.

Part VII, Item Nos. 24 and 25

The partial sales disclosed in Item Nos. 24 and 25 are part of a required minimum distribution from an IRA. No gain is shown in Column D(4) of Item No. 25 because the shares were sold at a loss.

Part VII, Item No. 40

This item was reported in Item No. 93 my 2011 Financial Disclosure Report as Medco Health Solutions Inc. ("Medco Health"). Medco Health became a wholly-owned subsidiary of Express Scripts Holding Company ("Express Scripts") in April 2012. A fractional share of Express Scripts was sold on April 3, 2012 as part of the change in ownership and is reported as a transaction in Item No. 40.

Part VII, Item No. 58

The item described in this report under the name "Invesco Van Kampen Municipal Opportunity Trust" is the same as the asset reported in Item No. 111 of my 2011 Financial Disclosure Report as "Invesco Van Kampen Trust for Insured Municipals." Effective October 10, 2012, this fund was exchanged for Invesco Van Kampen Municipal Opportunity Trust.

Part VI, Item No. 69

Please see the explanation under Item No. 18, above, concerning the source and disposition of this asset.

FINANCIAL DISCLOSURE REPORT

Page 10 of 10

Name of Person Reporting

Fitzwater, Sidney A.

Date of Report

03/18/2013

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/ Sidney A. Fitzwater

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