AO 10
Rev. 1/2022

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2021

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)	2. Court or Organization	3. Date of Report
Whitney, Frank D.	District Court - WDNC	05/15/2022
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)	**5a. Report Type (check appropriate type)**	**6. Reporting Period**
District Judge - Active	☐ Nomination Date ☐ Initial ☑ Annual ☐ Final **5b.** ☐ Amended Report	1/1/2021 **to** 12/31/2021
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 Guide to Judiciary Policy, Volume 2D, Ch. 3, § 345 Trustees, Executors, Administrators, and Custodians; § 350 Power of Attorney; § 355 Outside Positions.)*

☐ NONE *(No reportable positions.)*

	POSITION	NAME OF ORGANIZATION/ENTITY
1.	Power of Attorney	Person # 1
2.	Executor	Estate #1 (closed)
3.	Trustee	Trust # 1 (closed)
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 (Gov't & Public Sector Council Member, Annual Meeting Comm Vice Chair, Military and Vet Affairs Committee)
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)

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II. AGREEMENTS. *(Reporting individual only; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 340 Agreements and Arrangements)*

☑ NONE *(No reportable agreements.)*

	DATE	PARTIES AND TERMS
1.		
2.		
3.		

III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 320 Income; § 360 Spouses and Dependent Children.)*

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
1.	2021	Impact Design Resources - commission
2.		
3.		
4.		

IV. REIMBURSEMENTS *-- transportation, lodging, food, entertainment.*

(Includes those to spouse and dependent children; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 330 Gifts and Reimbursements; § 360 Spouses and Dependent Children.)

☑ NONE *(No reportable reimbursements.)*

	SOURCE	DATES	LOCATION	PURPOSE	ITEMS PAID OR PROVIDED
1.					
2.					
3.					
4.					
5.					

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V. GIFTS. *(Includes those to spouse and dependent children; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 330 Gifts and Reimbursements; § 360 Spouses and Dependent Children.)*

☑ NONE *(No reportable gifts.)*

	SOURCE	DESCRIPTION	VALUE
1.			
2.			
3.			
4.			
5.			

VI. LIABILITIES. *(Includes those of spouse and dependent children; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 335 Liabilities; § 360 Spouses and Dependent Children.)*

☐ NONE *(No reportable liabilities.)*

	CREDITOR	DESCRIPTION	VALUE CODE
1.	US Department of Education - Student Loan Program (adult [redacted] student loans)	Student loans	K
2.			
3.			
4.			
5.			

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VII. INVESTMENTS and TRUSTS *-- income, value, transactions (Includes those of spouse and dependent children; see Guide to Judiciary Policy, Volume 2D, Ch. 3, § 310 Reporting Thresholds for Assets; § 312 Types of Reportable Property; § 315 Interests in Property; § 320 Income; § 325 Purchases, Sales, and Exchanges; § 360 Spouses and Dependent Children; § 365 Trusts, Estates, and Investment Funds.)*

☐ NONE *(No reportable income, assets, or transactions.)*

	A	B		C		D				
	Description of Assets (including trust assets)	Income during reporting period		Gross value at end of reporting period		Transactions during reporting period				
	Place "(X)" after each asset exempt from prior disclosure	(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)	
1.	Whitney Properties, LLC:									
2.	- Rental Property #1, Sunset Beach, NC	E	Rent			Sold	12/02/21	O	G	
3.	- Bank of America business accounts (Whitney Properties LLC)	A	Interest	J	T					
4.	Whitney Assets LLC:									
5.	- Rental Property #1 Holden Beach NC [redacted]	E	Rent	O	R					
6.	- Rental Property # 2, Holden Beach, NC (vacant lot)		None	M	R					
7.	Carolina Panthers Permanent Seat License		None	K	W					
8.	Co-author book, Lexis Law Publishing (no income since 2002),		None	J	W					
9.	Bank of America savings and checking accounts	A	Interest	J	T					
10.	USAA Bank checking & savings accounts	A	Interest	J	T					
11.	Janney Advantage Insured Sweep (formally BB&T Fed Prime)	A	Interest	K	T					
12.	Townebank checking & savings (formally known as Paragon Bank)	A	Interest	J	T					
13.	Merrill Lynch CMA Cash accounts (including Bank of America CD)	A	Interest	N	T	Sold (part)	10/18/21	L	A	
14.	Invesco S&P 500 Equal Weighted Index (held through Janney)	A	Dividend	L	T					
15.	Estate #1, Charlotte, NC (X)					Closed	09/18/21	J	B	
16.	Trust #1, Charlotte, NC (X)					Closed	09/20/21	J	B	
17.	- Merrill Lynch CMA Cash Account (including Bank of America CD)	A	Interest			Distributed	09/20/21	J	B	

1 Income Gain Codes: (See Columns B1 and D4)	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	
	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 (See Columns C1 and D3)	J =$15,000 or less	K =$15,001 - $50,000	L =$50,001 - $100,000	M =$100,001 - $250,000		
	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 (See Column C2)	Q =Appraisal	R =Cost (Real Estate Only)	S =Assessment	T =Cash Market		
	U =Book Value	V =Other	W =Estimated			

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☐ NONE *(No reportable income, assets, or transactions.)*

A	B		C		D				
Description of Assets (including trust assets)	Income during reporting period		Gross value at end of reporting period		Transactions during reporting period				
Place "(X)" after each asset exempt from prior disclosure	(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)	
18. Trust # 2, Charlotte, NC:									
19. - Merrill Lynch CMA Cash Account (ncluding Bank of America CD)	C	Interest	L	T	Sold (part)	09/22/21	L	A	
20. - Carillon Scout Mid Cap Fund CL C	A	Dividend	K	T	Buy	09/22/21	K		
21. - Columbia Select Large Cap Value Fund CL C	A	Dividend	K	T	Buy	09/22/21	K		
22. - Blackrock Equity Dividend FD C	A	Dividend	K	T	Buy	09/22/21	K		
23. - MFS Value FD CL C	A	Dividend	K	T	Buy	09/22/21	K		
24. - Hartford Core Equity Fund CL C	A	Dividend	K	T	Buy	09/22/21	K		
25. Trust #3, Charlotte, NC:									
26. - Merrill Lynch CMA Cash Account (including Bank of America CD)	C	Interest	L	T	Sold (part)	09/22/21	L	A	
27. - Carillon Scout Mid Cap Fund CL C	A	Dividend	K	T	Buy	09/22/21	K		
28. - Columbia Select Large Cap Value Fund CL C	A	Dividend	K	T	Buy	09/22/21	K		
29. - Blackrock Equity Dividend FD C	A	Dividend	K	T	Buy	09/22/21	K		
30. - MFS Value FD CL C	A	Dividend	K	T	Buy	09/22/21	K		
31. - Hartford Core Equity Fund CL C	A	Dividend	K	T	Buy	09/22/21	K		

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	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 (See Columns C1 and D3)	J =$15,000 or less	K =$15,001 - $50,000	L =$50,001 - $100,000	M =$100,001 - $250,000	
	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		
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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of report.)*

All the assets in Estate # 1 (Part VII Line 15) and Trust # 1 (Part VII Line 16) have been distributed over the last few years to the appropriate beneficiaries. Becuase those assets have been distributed, Estate # 1 and Trust # 1 were closed in 2021.

Rental Property # 1, Holden Beach, NC (Part VII Line 5), was purchased on 7/31/19 for $ 619,000.

Rental property # 2, Holden Beach, NC (Part VII Line 6), was purchased on 12/14/20 for $225,000.

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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
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