

**FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2008**

| | | |
|--|---|--|
| 1. Person Reporting (last name, first, middle initial) FABER, DAVID A. | 2. Court or Organization WEST VIRGINIA SOUTHERN | 3. Date of Report 04/07/2009 |
| 4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) SENIOR U.S. DISTRICT JUDGE | 5a. Report Type (check appropriate type) <input type="checkbox"/> Nomination, Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final 5b. <input type="checkbox"/> Amended Report | 6. Reporting Period 01/01/2008 to 12/31/2008 |
| 7. Chambers or Office Address P.O. BOX 4278 BLUEFIELD, WV 24701 | 8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations. Reviewing Officer _____ Date _____ | |
| 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. Sign on last page. | | |

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. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |

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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. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

FINANCIAL DISCLOSURE REPORT

Page 2 of 7

| | |
|--|------------------------------|
| Name of Person Reporting FABER, DAVID A. | Date of Report 04/07/2009 |
|--|------------------------------|

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> <i>(yours, not spouse's)</i> |
|-------------|------------------------|---|
| 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.)*

| <u>DATE</u> | <u>SOURCE AND TYPE</u> |
|-------------|--|
| 1. 2008 | Salary as teacher, Mercer County, West Virginia Board of Education |
| 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. _____ | _____ | _____ | _____ | _____ |
| 2. _____ | _____ | _____ | _____ | _____ |
| 3. _____ | _____ | _____ | _____ | _____ |
| 4. _____ | _____ | _____ | _____ | _____ |
| 5. _____ | _____ | _____ | _____ | _____ |

FINANCIAL DISCLOSURE REPORT

Page 3 of 7

Name of Person Reporting

FABER, DAVID A.

Date of Report

04/07/2009

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 7

| | |
|--|------------------------------|
| Name of Person Reporting FABER, DAVID A. | Date of Report 04/07/2009 |
|--|------------------------------|

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 Month - Day | (3) Value Code 2 (J-P) | (4) Gain Code 1 (A-H) | (5) Identity of buyer/seller (if private transaction) |

| | | | | | | | | | |
|-------------------------------|---|----------|---|---|------|------|---|---|--|
| 1. Smith Barney Citigroup IRA | E | Dividend | O | T | | | | | |
| 2. Common Stocks: | | | | | | | | | |
| 3. [REDACTED] BAC | | | | | | | | | |
| 4. [REDACTED] PGN | | | | | | | | | |
| 5. [REDACTED] BMY | | | | | | | | | |
| 6. [REDACTED] BMY | | | | | | | | | |
| 7. [REDACTED] HPT | | | | | | | | | |
| 8. [REDACTED] RWT | | | | | Sold | 9/4 | J | A | |
| 9. [REDACTED] LSI | | | | | Sold | 3/11 | K | A | |
| 10. [REDACTED] WB | | | | | Sold | 7/11 | J | A | |
| 11. [REDACTED] NEWP | | | | | Sold | 3/11 | K | A | |
| 12. [REDACTED] PCL | | | | | | | | | |
| 13. [REDACTED] SEIC | | | | | | | | | |
| 14. [REDACTED] SEIC | | | | | | | | | |
| 15. [REDACTED] SEIC | | | | | Sold | 8/12 | L | F | |
| 16. [REDACTED] VZ | | | | | | | | | |
| 17. [REDACTED] VZ | | | | | | | | | |

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

FINANCIAL DISCLOSURE REPORT

Page 5 of 7

| | |
|--|------------------------------|
| Name of Person Reporting FABER, DAVID A. | Date of Report 04/07/2009 |
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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 | | | | |
|---|---|---|---|---|---|-------------------------------|---------------------------------|--------------------------------|---|
| | (1) Amount Code 1 (A-H) | (2) Type (e.g., div., rent, or int.) | (1) Valuc Code 2 (J-P) | (2) Valuc Method Code 3 (Q-W) | (1) Type (e.g., buy, sell, redemption) | (2) Date Month - Day | (3) Value Code 2 (J-P) | (4) Gain Code 1 (A-H) | (5) Identity of buyer/seller (if private transaction) |
| 18. ██████ CSCO | | | | | | | | | |
| 19. ██████ CAG | | | | | | | | | |
| 20. ██████ EMC | | | | | Sold | 3/11 | K | D | |
| 21. ██████ HON | | | | | | | | | |
| 22. ██████ MSFT | | | | | | | | | |
| 23. ██████ PFE | | | | | | | | | |
| 24. Smith Barney Bank Deposit Program | A | Interest | J | T | | | | | |
| 25. ██████ BP | | | | | Buy | 3/11 | K | | |
| 26. ██████ BT Group | | | | | Buy | 9/4 | K | | |
| 27. ██████ DOW | | | | | Buy | 8/12 | K | | |
| 28. ██████ FRP | | | | | Spinoff (from line 17) | 4/4 | J | | |
| 29. ██████ GE | | | | | Buy | 3/11 | K | | |
| 30. ██████ INTC | | | | | Buy | 8/12 | K | | |
| 31. ██████ WFC | | | | | Buy | 7/18 | K | | |
| 32. USAA Money market | A | Interest | J | T | | | | | |
| 33. Gold coin collection | A | | J | W | | | | | |

| | | | | | |
|--|--|--|--|--|-------------------------|
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| 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 | P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000 | 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 7

Name of Person Reporting

FABER, DAVID A.

Date of Report

04/07/2009

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

Except for the last two entries, all of the assets listed in Part VII were held in the Salomon, Smith, Barney IRA identified in Part VII.

FINANCIAL DISCLOSURE REPORT

Page 7 of 7

Name of Person Reporting

FABER, DAVID A.

Date of Report

04/07/2009

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 _____

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

FILING INSTRUCTIONS

Mail signed original and 3 additional copies to:

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544