

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
701 CLEMATIS STREET, ROOM 257
WEST PALM BEACH, FLORIDA 33401

DONALD M. MIDDLEBROOKS
DISTRICT JUDGE

October 3, 2006

VIA FAX (202-502-1899) and
U.S. MAIL

Judge William E. Smith
Committee on Financial Disclosure
Administrative Office of the U.S. Courts
One Columbus Circle, N.E.
Suite 2-301
Washington, DC 20544

Re: Annual Financial Disclosure Report
Calendar Year 2005 Filing

RECEIVED
2006 OCT 11 A 11:29
FINANCIAL
DISCLOSURE OFFICE

Dear Judge Smith:

In reference to your letter of August 1, 2006, I submit the following:

1. Lake Lucy Groves: As I indicated in my 2005 report, virtually all of the assets of Lake Lucy Groves were sold, and I reflected a gain code in Part VII (1) of H1 (\$1,000,000 - \$5,000,000). This figure includes the gain attributable to my children. My 2005 personal income tax return reflects my portion of this gain as Ordinary Income of \$149,187.00, and Part I, Sec. 1231 gain of \$1,075,905.
2. Northern Trust Checking Account – I have reviewed my 2004 report and believe that this account was reflected as item #18 under Part VII.
3. U.S. Treasury Inflation Index NTS DTD 1/15/2001 – The 2005 Report lists the Treasury TIP's as item #41.
4. Medco Health Sol. Common Stock – I received the Medco stock as a dividend from my holding in Merck Stock. I have since sold the Medco stock. The records necessary for me to determine the date of sale and the proceeds (which were minimal) are in storage. The Palm Beach Courthouse closed for storm repairs on November 19, 2004 and many of my financial records have been in storage since

that time. Hopefully, I will regain access to the materials soon. Right now, it is expected that the Courthouse will reopen within the next sixty to ninety days.

5. Corning Common Stock – My [REDACTED] has [REDACTED] shares of Corning Stock valued at less than \$500.00 which was given to [REDACTED] as a gift by [REDACTED]. The date of acquisition is contained in the records I previously indicated as being in storage, and will be supplied as soon as access is obtained.
6. Northern Trust Money Fund – There was a small balance in this account which was liquidated, I believe in 2004.

Sincerely,

[REDACTED]
Donald M. Middlebrooks

**FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2005**

1. Person Reporting (last name, first, middle initial) Middlebrooks, Donald M	2. Court or Organization U.S.D.C. - S.D. FLA (WPB)	3. Date of Report 06/27/2006
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Ct. Judge-Active	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 01/01/2005 to 12/31/2005
7. Chambers or Office Address 701 Clematis Street, Room 257 West Palm Beach, FL 33401	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 _____	
<p align="center">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.</p>		

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

NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Partner (22.5% Interest)	Lake Lucy Groves (Operations and most of assets sold - See Section VIII)
2.	
3.	
4.	
5.	

II. AGREEMENTS. (Reporting individual only; see pp. 14-16 of instructions.)

NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1.	
2.	
3.	

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FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting
Middlebrooks, Donald M

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III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of 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. 2005	Lake Lucy Groves (Reported under section VII)	
2.		
3.		
4.		
5.		

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. 2005	Palm Beach County School Board - Salary
2.	
3.	
4.	
5.	

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

(Includes those to spouse and dependent children. See pp. 25-27 of instructions.)

NONE *(No reportable reimbursements.)*

<u>SOURCE</u>	<u>DESCRIPTION</u>
1. Aspen Institute	Baltimore, Maryland, April 29 - May 1, 2005, Judges' Seminar on "International Human Rights and Humanitarian Law" (meals, lodging, seminar)
2.	
3.	
4.	
5.	

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V. GIFTS. *(Includes those to spouse and dependent children. See pp. 28-31 of 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. 32-34 of instructions.)*

NONE *(No reportable liabilities.)*

<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1.		
2.		
3.		
4.		
5.		

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting

Middlebrooks, Donald M

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VII. INVESTMENTS and TRUSTS – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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, merger, redemption)	If not exempt from disclosure			
						(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. Lake Lucy Groves, Lake Cty, FL (appraised 10/1/92)	F	Distribution	M	W	Partial Sale	9/2	P1	H1	See Section VIII
2. Coca Cola Common Stock	D	Dividend	N	T					
3. Berkshire Hathaway Common Stock A		None	O	T					
4. Berkshire Hathaway Common Stock B		None	M	T	Buy	3/16	J		
5.					Buy	3/29	J		
6.					Buy	9/13	K		
7.					Buy	9/22	K		
8. Exxon Mobil Common Stock A	A	Dividend	L	T	Buy	10/04	L		
9.					Buy	10/06	K		
10. Intel Corporation Common Stock		None	K	T	Buy	12/09	K		
11. Microsoft Corporation Common Stock		None	K	T	Buy	12/09	K		
12. Johnson & Johnson Common Stock		None	K	T	Buy	9/9	L		
13.					Sell	9/13	L	A	
14.					Buy	12/08	K		
15. I Shares MSCI Emerging Markets Index Fund	B	Dividend	M	T	Buy	4/13	K		
16.					Buy	9/12	M		
17. I Shares MSCI EAFE Index Fund	D	Dividend	N	T	Buy	4/13	L		

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	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes (See Column C2)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated	T = Cash Market	

FINANCIAL DISCLOSURE REPORT

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Middlebrooks, Donald M.

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						(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.					Buy	9/12	N		
19. UTS SPDR Trust Series I	A	Dividend	M	T	Buy	9/12	M		
20. Vanguard Total Stock Mkt Viper	B	Dividend	M	T	Buy	9/12	M		
21. I Shares Trust Lehman Bond Fund	D	Interest	N	T	Buy	9/12	M		
22. Wachovia Common Stock	B	Dividend	L	T					
23. Coming Common Stock		None	J	T					
24. Davis NY Venture Fund Class C		None			Sell	9/12	K	C	
25. U.S. Treasury Bills		None	N	T	Buy	9/19	N		
26. U.S. Treasury Notes	D	Interest	N	T	Buy	9/14	M		
27. Federal Home Loan Bank	D	Interest	N	T					
28. Federal Nat. Mtg. Ass'n Med. Term Notes	C	Interest	L	T					
29. Federal Farm Credit Bonds	C	Interest	L	T					
30. .2279279% Int. in [redacted] Airport Ind. Pk. Orlando		None	K	Q					
31. Northern Trust Money Fund	A	Interest	J	T					
32. Holwood, Inc.		None	K	W					
33. Level 3 Communication Inc. CV	A	Interest	J	T	Buy	7/1	J		
34. Citibank, N.A. Bank Deposit Program (Cash)	C	Interest	M	T					

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						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
35. Pfizer	A	None			Sell	4/13	L	A	
36. Level 3 Communications, Inc.		None			Sell	7/1	J	A	
37. BundesObligation #13DTD 8/22/2001	C	Interest			Sell	9/12	L	A	
38. Canada Gov't CDN DTD 8/17/1998	B	Interest			Sell	9/12	K	C	
39. CDN DTD 8/3/1999	B	Interest			Sell	9/12	K	C	
40. BundesRepublic Deuts DTD 7/4/2003	B	Interest			Sell	9/12	L	C	
41. US Tsy Inflation Index NTS DTD 1/15/2001	B	Interest	M	T					
42. Costco Wholesale Corp.		None			Sell	4/13	K	D	
43. Northern Trust Checking Account	C	Interest	L	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
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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of Report.)*

Item Number:

1. On September 2, 2005 virtually all of the assets of Lake Lucy were sold leaving within the partnership only two, as yet unplatted, lots in the residential subdivision to be developed on the grove property that was sold. The contract for sale was with Hope Development Group, LLC, but at closing, the buyer assigned the contract to Centex Homes, Altamonte Springs, FL

30. Appraisal Date 8/6/94.

32. Previously disclosed shares in corporation given to Timberland in Crawfordville, GA sole asset of corporation.

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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



Date

6/27/06

NOTE: ANY PERSON WHO 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