

**FINANCIAL DISCLOSURE REPORT  
FOR CALENDAR YEAR 2008**

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

<b>1. Person Reporting</b> (last name, first, middle initial)  Cox, Emmett R.	<b>2. Court or Organization</b>  U.S. Court of Appeals, Eleventh Circuit	<b>3. Date of Report</b>  04/06/2009
<b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)  Senior U.S. Circuit Judge	<b>5a. Report Type</b> (check appropriate type) <input type="checkbox"/> Nomination,                      Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final <b>5b.</b> <input type="checkbox"/> Amended Report	<b>6. Reporting Period</b>  01/01/2008 to 12/31/2008
<b>7. Chambers or Office Address</b>  113 St. Joseph Street Room 433 Mobile, AL 36602	<b>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.</b>  Reviewing Officer _____ Date _____	
<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. 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. Director and Secretary	204 Oswalt Condominium Owners Association (see Section VIII for description)
2.	
3.	
4.	
5.	

**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.	

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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> <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.		
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.					

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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. NationsBank, N.A.	Secured promissory note	J
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. 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. American Funds: Euro Pacific Growth A ( Mutual Fund)	B	Dividend	J	T					
2. American Funds: Investment Co. of America A (Mutual Fund)	A	Dividend	J	T	Buy	12/22	J		
3.					Sold	12/22	J		
4. RBC Centura Bank (Account)	A	Interest	J	T					
5. BankTrust (Accounts)	A	Interest	J	J					
6. The Vanguard Value Index Fund (Mutual Fund)	A	Dividend	J	T					
7. Harbor Fund Capital Appreciation (Mutual Fund)	A	Dividend	J	T					
8. Oakmark Fund; Oakmark Int'l (Mutual Fund)	A	Dividend			Sold	12/22	J		
9. Longleaf Partners Fund TR SH BEN INT (Mutual Fund)	A	Dividend			Sold	12/22	J		
10. Managers Funds, Special Equity Fund (Mutual Fund)		None			Sold	12/22	J		
11. Matthews Int'l Funds: Asian Grth & Income Fund (Mutual Fund)	A	Dividend	J	T					
12. Northeast Investors Trust SH BEN INT (Mutual Fund)	A	Dividend			Sold	12/22	J		
13. Oak Value Trust: Oak Value Fund (Mutual Fund)		None			Sold	08/15	J		
14. Oppenheimer Funds: Commodity Strategy T OT RET (Mutual Fund)		None			Sold	12/22	J		
15. TCW Fds, Inc. Select Equities Fd CL N (Mutual Fund)		None			Sold	05/12	K	C	
16. TDAM MM Portfolio Investor Class (Account)	A	Dividend	J	T					
17. Army Aviation Center FCU (Account)	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	

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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. 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)
18. Franklin Federal Ala T/F Income CL A (Mutual Fund)	A	Int./Div.			Sold	03/07	L		
19. Pimco FDS Developing Local Markets I NSTL (Mutual Fund)	A	Dividend			Sold (part)	03/07	J	A	
20.					Sold	12/22	J		
21. Rainier INV MGMT Mut Fd Small M/C Equity. (Mutual Fund)	A	Dividend			Sold	12/22	J		
22. American Funds: AMCAP F (Mutual Fund)		None			Sold	12/22	J		
23. Ariel Growth Fd: Calvert Ariel Apprec Fd (Mutual Fund)	A	Dividend			Sold	12/22	J		
24. Artisan Funds Inc. Int'l Fund (Mutual Fund)	A	Dividend			Sold	12/22	J		
25. Franklin Federal Ala T/F Incm CL A (Mutual Fund)	B	Int./Div.	K	T	Sold (part)	03/07	J		
26.					Sold (part)	10/30	K		
27. Oakmark Funds: Oakmark Int'l (Mutual Fund)	A	Dividend			Sold	12/22	J		
28. JP Morgan TR II US Real Estate A (Mutual Fund)	A	Dividend			Sold	12/22	J		
29. Artio Funds Int'l Equity Fund CL A (Mutual Fund)		None			Sold	12/22	J		
30. Laudus Rosenberg Funds: US Discovery FD INSTL (Mutual Fund)	A	Dividend			Sold	12/22	J		
31. Oppenheimer Developing Markets CL A (Mutual Fund)	A	Dividend	J	T					
32. Pimco Funds: Commodity/Real Ret Strat Instl (Mutual Fund)	B	Dividend			Sold	12/22	J		
33. Selected American Shares Com (Mutual Fund)	A	Dividend			Sold	12/22	J		
34. Sit New Beginning Tx Fr Inc Com (Mutual Fund)	B	Interest	J	T	Sold (part)	02/19	J		

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35.					Sold (part)	05/09	J		
36. Third Avenue Tr Value Fund (Mutual Fund)		None			Sold	12/22	J		
37. Turner Funds: Midcap Fd Instl CL (Mutual Fund)		None			Sold	12/22	J		
38. Vanguard INFL-Protected Secs Fd (Mutual Fund)	A	Dividend	J	T	Sold (part)	03/07	J	A	
39. TDAM MM Portfolio Investor Class (Account)	A	Dividend	J	T					
40. Longleaf Partners Fund Tr SH BEN INT (Mutual Fund)	A	Dividend			Buy	03/11	J		
41.					Sold	12/22	J		
42. Selected American Shares Com (Mutual Funds)		None			Buy	02/22	J		
43.					Sold	03/07	J		
44. Janus Invt Fd: Contrarian Fund (Mutual Fund)	A	Dividend			Buy	03/11	J		
45.					Sold	12/22	J		
46. IShares Russell 1000 Growth Fund (Mutual Fund)	A	Dividend			Sold	12/22	J		
47. American Funds Europacific Growth F2 CL (Mutual Fund)		None	J	T	Buy	12/26	J		
48. Brandywine Funds Com (Mutual Fund)		None	J	T	Buy	12/26	J		
49. Clipper Fund Inc Com (Mutual Fund)	A	Dividend	K	T	Buy	12/26	J		
50. Janus Invt Fund: Perkins Mid Cp VL Inv (Mutual Fund)		None	J	T	Buy	12/26	J		
51. Professionally Mdg Ptf Osterweis Fund (Mutual Fund)		None	J	T	Buy	12/26	J		

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52. Sequoia Fund Inc Com (Mutual Fund)		None	J	T	Buy	12/26	J		
53. Third Avenue Tr Int'l Value Fund (Mutual Fund)		None	J	T	Buy	12/26	J		
54. Ishares: Russell 3000 Index Fund (Mutual fund)	A	Dividend	J	T	Buy	10/31	J		
55. Ishares: GSCI Commodity Indexed Trust (Mutual Fund)		None	J	T	Buy	12/26	J		
56. Ishares: DJ US Real Estate (Mutual fund)		None	J	T	Buy	12/26	J		
57. Ishares: MSCI EAFE Index Fund (Mutual fund)	A	Dividend	J	T	Buy	10/31	J		
58. Rainier Inv Mgmt Mutual Fund Core Equity (Mutual Fund)	A	Dividend			Buy	01/15	J		
59.					Sold (part)	08/15	J		
60.					Sold	12/22	J		
61. American Funds: Euro Pacific Growth F (Mutual Fund)		None	K	T	Buy	12/23	K		
62. American Funds: Growth Fund of America F (Mutual Fund)		None	J	T	Buy	12/23	J		
63. Clipper Fund Inc Com (Mutual Fund)	A	Dividend	J	T	Buy	12/23	J		
64. Loomis Sayles Fds I Bd Fd Instl (Mutual Fund)		None	J	T	Buy	12/23	J		
65.					Buy (add'l)	12/23	J		
66. Mainstay Funds: ICAP Select Equity Fd CL I (Mutual Fund)		None	J	T	Buy	12/23	J		
67. Professionally Mgd Ptf: Osterweis Fund (Mutual fund)		None	J	T	Buy	12/24	J		
68. Sequoia Fund Inc Com (Mutual Fund)		None	K	T	Buy	12/23	K		

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69. Third Avenue Tr Intl Value Fund (Mutual Fund)		None	K	T	Buy	12/23	J		
70.					Buy (add'l)	12/23	J		
71. Ishares: GSCI Commodity Indexed Trust (Mutual Fund)		None	J	T	Buy	12/24	J		
72. Fairholme Fds Inc Com (Mutual Fund)	A	Dividend			Buy	03/11	K		
73.					Buy (add'l)	05/13	K		
74.					Buy (add'l)	08/18	J		
75.					Sold	12/22	K		
76. Artio Fds International Equity II CL I (Mutual Fund)		None			Buy	03/11	K		
77.					Sold	12/22	J		
78. Harbor Fd: Intl Fd (Mutual Fund)	A	Dividend			Buy	01/15	J		
79.					Buy (add'l)	03/11	K		
80.					Sold	12/22	K		
81. Stratton Multi-Cap Fund Com (Mutual Fund)	A	Dividend			Buy	03/11	K		

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2. Value Codes (See Columns C1 and D3)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	
3. Value Method Codes (See Column C2)					



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

Section I. Positions

204 Oswalt Condominium Owners Association is a not-for-profit association that holds title to and manages the common areas for three condominium units, one of which is owned by Emmett R. Cox [REDACTED]

Section VII. Investments and Trusts

29. Julius Baer Invt Fds Int'l Equity Fd Cl A is now known as Artio Funds Int'l Equity Fund CL A.

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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 \_\_\_\_\_



**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