


UNITED STATES DISTRICT COURT

**Northern District of West Virginia
1125 Chapline Street, Suite 2044
WHEELING, WEST VIRGINIA 26003**

JOHN PRESTON BAILEY
Chief Judge

304-233-1492


July 3, 2008

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

RECEIVED
2008 JUL 17 11:00
FINANCIAL
DISCLOSURE OFFICE

Re: Financial Disclosure Filing
Date of Report - April 14, 2008

Dear Judge Smith:

I am in receipt of your letter of June 19, 2008, concerning the requirement for additional information relating my Financial Disclosure Filing. I have elected to respond by letter to provide the additional information.

1. Part VII, page 4, line 6. Live Nation (com) was a change of name from CCE Spinco (com).

2. Part VII, page 4, line 14. "JP Morgan Deposit Sweep Premier" is an asset of the trust of which I was one of several trustees prior to my appointment. In preparing the April 14, 2008 report, I utilized a trust report for the end of 2007, even though I had resigned shortly after my confirmation in March, 2007. This asset was not a part of the trust at the time of my resignation and perhaps should not have been included in my report.

3. Part VII, page 5, line 20. "Idearc (com)" was spun off from Verizon in November of 2006. Unfortunately, when I prepared my nomination report dated January 10, 2007, I did not have the benefit of the fourth quarter trust report and, therefore, did not include Idearc on that report.

4. In Part VII, page 1, line 4 of my nomination report, I listed CCE Spinco as an asset. It is no longer on my report since CCE Spinco changed its name to Live Nation. (See paragraph 1).

5. In Part VII, page 1, line 15 of my nomination report, I listed JP Morgan Liquid Assets Money market Investment as an asset. In preparing the April 14, 2008 report, I utilized a trust report for the end of 2007, even though I had resigned shortly after my confirmation in March, 2007. This asset was still a part of the trust at the time of my resignation and should have been included in my report.

6. In Part VII, page 2, line 29 of my nomination report, I listed March & McClennan Cos. Inc. as an asset. This was an error. In fact, this asset was sold on 09/26/06. The value code for the transaction was K.

7. In Part VII, page 3, line 42 of my nomination report, I listed Dell, Inc. as an asset. In preparing the April 14, 2008 report, I utilized a trust report for the end of 2007, even though I had resigned shortly after my confirmation in March, 2007. This asset was still a part of the trust at the time of my resignation and should have been included in my report.

8. In Part VII, page 3, line 46 of my nomination report, I listed Bellsouth Corp BLS Group as an asset. That entity was merged into AT&T, and the certificates were received on January 3, 2007.

9. In Part VII, page 3, line 49 of my nomination report, I listed Charlotte NC Wtr. & Swr Sys Ref Ser A Dtd 02/01/05. This was an error. In fact, this asset was sold on 09/29/06. The value code for the transaction was L.

If you need or desire any additional explanation or information, please let me know.

I certify that all of the information given above 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 no-disclosure,

JPB/bjt



FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2007

*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) Bailey, John P	2. Court or Organization Northern District of West Virginia	3. Date of Report 04/14/2008
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge - Active Status	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 01/01/2007 to 12/31/2007
7. Chambers or Office Address U.S. Courthouse P.O. Box 551 Wheeling, WV 26003	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: <i>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>		

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.	President	Bailey, Riley, Buch & Harman, L.C.
2.	Director & Secretary	Kalkreuth Roofing & Sheet Metal, Inc.
3.	Secretary	The Sweeney Group, Inc.
4.	Executor	Estate #1
5.	Trustee	Trust #1

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.	2005	Bailey, Riley, Buch & Harman, L.C. Profit Sharing Plan with former firm, no control
2.		
3.		

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FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Bailey, John P

Date of Report

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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> (yours, not spouse's)
1. 2007	Bailey, Riley, Buch & Harman, L.C. - salary	\$ 25,385
2. 2207	Bailey, Riley, Buch & Harman, L.C. - buyout of assets when became judge.	\$ 25,000
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.	West Virginia State Bar	03/30/2007-03/31/2007	Charleston, WV	St. Bar Long Range Plan.	Mileage, meals and lodging
2.	West Virginia State Bar	08/16/2007	Flatwoods, WV	Exec. Dir. Search Comm.	Mileage
3.	West Virginia State Bar	09/11/2007	Charleston, WV	Exec. Dir. Search Comm.	Mileage, meals and lodging
4.	West Virginia State Bar	09/20/2007	Charleston, WV	Exec. Dir. Search Comm.	Mileage, meals and lodging
5.					

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Name of Person Reporting

Bailey, John P

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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.	Fort Henry Club	Honorary Membership	\$ 1,140
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.	United Bank	Visa Card	J
2.	United Bank	Personal Loan	K
3.	U.S. Dept. of Education	Loan for education	M
4.	College Foundation, Inc.	Loan for education	L
5.			

FINANCIAL DISCLOSURE REPORT

Name of Person Reporting

Bailey, John P

Date of Report

04/14/2008

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. IRA #1	A	Dividend	K	T					
2. - Federated Prime Obligations Fd. 396									
3. - CVS/Caremark (com)									
4. - Clear Channel Communication (com)									
5. - Home Depot Inc. (com)									
6. - Live Nation (com)									
7. - Time Warner Inc. (com)									
8. - Medco Health Solutions (com)									
9. - Merck and Company (com)									
10. Bailey, Riley, Buch & Harman Profit Sharing Plan	E	Dividend	M	T					
11. Mass Mutual Life Insurance	A	Dividend	J	T					
12. Estate #1 (Y)	A	Interest	J	T					
13. Trust #1 (Y)	G	Int./Div.	P2	T					
14. - JPMorgan Deposit Sweep Premier									
15. - JPMorgan Chase & Co.									
16. - WesBanco Inc (com)									
17. - GE (com)									

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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18. - 3M Co (com)									
19. - Masco Corp (com)									
20. - Idearc (com)									
21. - General Mills (com)									
22. - Heinz H J (com)									
23. - Proctor & Gamble (com)									
24. - BP P L C Sponsored ADR									
25. - Chevron Corp (com)									
26. - Exxon Mobil Corp (com)									
27. - Citigroup Inc. (com)									
28. - FHLMC (com)									
29. - Bristol Myers Squibb (com)									
30. - Wyeth (com)									
31. - Dow Chem. Co. (com)									
32. - PPG Inds. Inc. (com)									
33. - Harbor FD Intl FD Instl CL									
34. - Ishares TR Dow Jones US Real Est Idx									

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35. - JPMorgan Diversified Mid Cap Growth									
36. - JPMorgan Diversified Mid Cap Value									
37. - JPMorgan Highbridge Stat Mkt Neut Fd									
38. - JPMorgan International Equity Index									
39. - JPMorgan Multi-Cap Market Neutral Fd									
40. - JPMorgan Small Cap Growth Fund									
41. - JPMorgan Small Cap Value Fund									
42. - Dominion Res Inc VA New (com)									
43. - Cisco Sys Inc (com)									
44. - Intel Corp (com)									
45. - Microsoft Corp (com)									
46. - AT&T Inc (com)									
47. - Verizon Communicatians (com)									
48. - United Parcel Svc Inc Cl B									
49. - Greensboro NC Pub Impt Ser A Dtd 02/01/2005									
50. - Raleigh NC Comb Enterprise Sys Rev Dtd 05/04/04									
51. - Raleigh NC Comb Enterprise Sys Rev Ref Dtd 05/05/05									

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Name of Person Reporting Bailey, John P	Date of Report 04/14/2008
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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.)

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52. - Mason Cnty WVa Single Family Mtg Dtd 08/01/79									
53. - Mecklenberg Cnty NC Pub Impt Ser A Dtd 02/01/05									
54. - Rowan Cnty NC Ref Dtd 04/01/05									
55. - Cabarrus Cnty NC Pub Impt Dtd 09/01/06									
56. - Appalachian St Univ NC Rev Ref Dtd 04/20/05									
57. - Mecklenberg Cnty NC Pub Impt Ser B Dtd 08/01/02									
58. - University NC Sys Pool Rev Ser A Dtd 04/14/05									
59. - Goldsboro NC Ref Dtd 04/01/05									
60. - Beauford Cnty NC Dtd 04/01/05									
61. - Brunswick Cnty NC Cmnty College Ser A Dtd 04/01/05									
62. - East Carolina Univ NC Univ Rev Ref SerA Dtd 06/19/03									

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Name of Person Reporting	Date of Report
Bailey, John P	04/14/2008

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

Part I. Positions

All duties as executor of Trust #1 were completed before I took the bench.

I resigned all other position upon taking the bench.

Part VII. Investments and Trusts

As noted above, all duties as executor of Trust #1 were completed before I took the bench.

I resigned as one of three Trustees of Trust #1 upon taking the bench.

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting	Date of Report
Bailey, John P	04/14/2008

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 THIS REPORT IS SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

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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