

## FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2004

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

<b>1. Person Reporting</b> <i>(Last name, first, middle initial)</i> Whelan, Thomas J.	<b>2. Court or Organization</b> U.S. District Court - Southern District of California	<b>3. Date of Report</b> 3-25-05
<b>4. Title</b> <i>(Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)</i> U.S. District Judge - Active	<b>5. Report Type</b> <i>(check appropriate type)</i> ___ Nomination, Date _____ ___ Initial <input checked="" type="checkbox"/> Annual ___ Final	<b>6. Reporting Period</b> 1/1/04 - 12/31/04
<b>7. Chambers or Office Address</b> U.S. District Court 940 Front Street San Diego, CA 92101	<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 _____	

**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 Instructions.)*

	<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
<input type="checkbox"/>	NONE (No reportable positions.)	
1	Member, Board of Directors	Univ. of San Diego, School of Law, Alumni Assn.
2	Member, Board of Governors	Assn. of Business Trial Lawyers
3		

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

	<u>DATE</u>	<u>PARTIES AND TERMS</u>
<input type="checkbox"/>	NONE (No reportable agreements.)	
1	1997	County of San Diego Retirement Plan - No Control
2	1998	State of California Judicial Retirement Plan - No Control
3		

**III. NON-INVESTMENT INCOME.** *(Reporting individual and spouse; see pp. 17-24 of Instructions.)*

	<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>GROSS INCOME</u>
<b>A. Filer's Non-Investment Income</b>			
<input type="checkbox"/>	NONE (No reportable non-investment income.)		
1	2004	County of San Diego - Retirement	\$ 35,033
2			\$
3			\$
<b>B. Spouse's Non-Investment Income - If you were married during any portion of the reporting year, please complete this section. (dollar amount not required except for honoraria)</b>			
<input type="checkbox"/>	NONE (No reportable non-investment income.)		
1	2004	Diocese of San Diego	
2			

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**IV. REIMBURSEMENTS** -- transportation, lodging, food, entertainment.  
*(Includes those to spouse and dependent children. See pp. 25-27 of Instructions.)*

	<u>SOURCE</u>	<u>DESCRIPTION</u>
<input type="checkbox"/>	NONE (No such reportable reimbursements.)	
1	Assn. of Business Trial Lawyers (ABTL)	(October 20 - 23, 2004) Kona, Hawaii
2		Speaker at Annual Seminar (transportation, food
3		and hotel)
4		
5		
6		
7		

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

	<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
<input checked="" type="checkbox"/>	NONE (No such reportable gifts.)		
1			\$
2			\$
3			\$
4			\$

**VI. LIABILITIES.** *(Includes those of spouse and dependent children. See pp. 32-33 of Instructions.)*

	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE*</u>
<input checked="" type="checkbox"/>	NONE (No reportable liabilities.)		
1			
2			
3			
4			
5			

\*Value Codes: 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=50,000,001 or more

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**VII. Page 1 INVESTMENTS and TRUSTS – income, value, transactions** (Includes those of spouse and dependent children. See pp. 34-57 of Instructions.)

Description of Assets (including trust assets)  <i>Place "X" in this column if exempt from prior disclosure.</i>	Income during reporting period		Gross value at end of reporting period		Transactions during reporting period				
	(1)	(2)	(1)	(2)	(1)	Transactions exempt from disclosure			
	Am. Code (A-F)	FDI Code (A-M)	Value Code 1 (J-P)	Value Method Code 2 (C-W)	YTD (e.g. buy/sell, merger, redemption)	(2) Date Month/Day	(3) Value Code 3 (A-F)	(4) Gain Code (A-F)	(5) Identity of buyer/seller (if private transaction)
<input type="checkbox"/> NONE (No reportable income,									
1 San Diego County Credit Union	C	INT	M	T					
2 Real Estate, San Diego California	NONE		M	W					
3 County of San Diego Deferred Comp. Plan	C	INT	L	T					
4 State of California Deferred Comp. Plan	B	INT	K	T	Partial W/Drawal	2/3	K		
5 Diocese of San Diego Deferred Comp. Plan	A	INT	K	T					
6									
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1. Income/Gain Codes (See Col. B1, D4)	A=\$1,000 or less P=\$50,001-\$100,000	B=\$1,001-\$2,500 G=\$100,001-\$1,000,000	C=\$2,501-\$5,000 H=\$1,000,001-\$5,000,000	D=\$5,001-\$15,000 I2=More than \$5,000,000	E=\$15,001-\$50,000
2. Value Codes (See Col. C1, 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 Col. C2)	O=Appraisal U=Book value	R=Cost (real estate only) V=Other	S=Assessment W=Estimated	T=Cash/Market	

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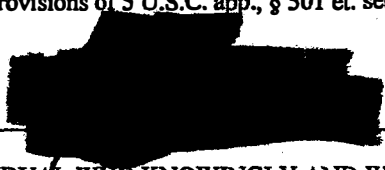
**VIII. ADDITIONAL INFORMATION OR EXPLANATIONS (Indicate part of Report.)**

**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 \_\_\_\_\_

3/25/05

**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.)**

**MAILING 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