

UNITED STATES DISTRICT COURT  
Northern District of West Virginia  
1125 Chapline Street, Suite 2044  
WHEELING, WEST VIRGINIA 26003

JOHN PRESTON BAILEY Chief Judge  
July 3, 2008

Honorable Ortrie D. Smith CJ ,..,

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Committee on Financial Disclosure (./) = ;o  
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Administrative Office of the United States Courts ,-. :

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Suite 2-301

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One Columbus Circle, N. E.

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Washington, D.C. 20544 oJ:"

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Re: Financial Disclosure Filing 0

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).

Honorable Ortrie D. Smith Committee on Financial Disclosure July 3, 2008

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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 09126106. 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 non-disclosure,

JPB/bjt

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

q NONE (No reportable positions.)

POSITION NAME OF ORGANIZATION/ENTITY

Bailey, Riley, Buch & Harman, L.C.

Kalkreuth Roofing & Sheet Metal, Inc.

3.

Secretary The Sweeney Group, Inc.

4.

Executor Estate #I

5.

Trustee Trust #1

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

D NONE (No reportable agreements.)

PARTIES AND TERMS

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

2.

Date of Report

FINANCIAL DISCLOSURE REPORT Page 2 of 9

04/14/2008

Bailey, John P

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

A. Filer's Non-Investment Income

D NONE (No reportable non-investment income.)

SOURCE AND TYPE INCOME

(yours, not spouse's)

I. 2007 Bailey, Riley, Buch & Harman, L.C. -salary \$ 25,385

Bailey, Riley, Buch & Harman, L.C. -buyout of assets when became \$ 25,000 judge.

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.)

[Z] NONE (No reportable non-investment income.)

SOURCE AND TYPE

I.

3.

4.

IV, REIMBURSEMENTS -transportation, /odging,food, entertainment (Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.) D NONE (No reportable reimbursements.)

SOURCE DATES LOCATION PURPOSE ITEMS PAID OR PROVIDED

1. West Virginia State Bar 03/30/2007-Ci3/3 ICIOO'feston, 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

West Virginia State Bar 0911112007 Charleston, WV

Exec. Dir. Search Mileage, meals and lodging Comm.

West Virginia State Bar 0912012007 Charleston, WV

Exec. Dir. Search

4.

Mileage, meals and lodging

Comm.

Date of Report

FINANCIAL DISCLOSURE REPORT Page 3 of 9

Bailey, John P

04/14/2008

V. GIFTS. (Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)

D NONE (No reportable gifts.) SOURCE DESCRIPTION VALUE Honorary Membership \$ 1,140

5.

VI. LIABILITIES. (Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)

D NONE (No reportable liabilities.) CREDITOR DESCRIPTION VALUE CODE

Visa Card

Personal Loan K

Loan for education M

Loan for education L

5.

Name of Person Reporting

Date of Report

FINANCIAL DISCLOSURE REPORT Page 4 of 9

Bailey, John P

04/14/2008

VII. INVESTMENTS and TRUSTS include, value, transactions include those of spouse and dependent children; see PP&middle dot; 34-60 of filing instructions.J

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D 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 (1) (2) Amount Type (e.g., Code 1 div., rent, (A-H) or int.) c. Gross value at end of reporting period (1) (2) Value Value Code 2 Method (J-P) Code 3 (Q-W) (I) Type (e.g., buy, sell, redemption) D. Transactions during reporting period (2) (3) (4) (5) Date Value Gain Identity of Month-Code 2 Code 1 buyer/seller Day (J-P) (A-H) (if private transaction)

1. IRA#! A Dividend K T

2.

-Federated Prime Obligations Fd. 396

3.

-CVS/Caremark (com)

-Clear Channel Communication (com)

-Home Depot Inc. (com)

6.

-Live Nation (com)

7.

-Time Warner Inc. (com)

8.

-Medco Health Solutions (com)

-Merck and Company (com)  
10. Bailey, Riley, Buch & Hannan Profit  
E Dividend M T  
Sharing Plan  
11. Mass Mutual Life Insurance A Dividend J T  
12.  
Estate #I (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: A "\$ 1,000 or less B =\$t,001 -\$2,500 c =\$2,501 -\$5,000 D =\$5,001 -\$15,000 E =\$t 5,001 - \$50,000

(See Columns B1 and D4) F =\$50,001 -\$100,000 G =\$100,001 -\$1,000,000 H I =\$1,000,001 -\$5,000,000 112 =More than \$5,000,000

2. Value Codes J =\$15,000 or less K =\$15,001 -\$50,000 L =\$50,001 -\$100,000 M =\$100,001 -\$250,000

(See Columns C1 and C3) 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 =More than \$50,000,000

3. Value Method Codes Q =Appraisal R =Cost (Real Estate Only) S =Assessment T =Cash Market

(See Column C2) U =Book Value V =Other W =Estimated

Name of Person Reporting

Date of Report

FINANCIAL DISCLOSURE REPORT Page 5 of 9

Bailey, John P

04/14/2008

VII. INVESTMENTS and TRUSTS --income, value, transactions r1nc!udes those of spouse and dependent c1ildren; see PP&middot; 34-60 of filing instructions.)

D NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets) B. Income during reporting period C. Gross value at end of reporting period D. Transactions during reporting period

Place "(X)" after each asset exempt from prior disclosure (I) (2) Amount Type (e.g., Code I div., rent, (A-H) or int.)

(I) (2) Value Value Code 2 Method (J-P) Code 3 (Q-W) (I) Type (e.g., buy, sell, redemption) (2) Date Month-Day

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

18.  
-3M Co (com)

- 19. -Masco Corp (com)
- 20. -Idearc (com)
- 21. -General Mills (com)
- 22. -Heinz HJ (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)

- &
- Bristol Myers Squibb (com)
- Wyeth (com)
- 31. -Dow Chem. Co. (com)

- 32. -PPG Inds. Inc. (com)
- 33. -Harbor FD Intl FD Inst! CL
- 34. -!shares TR Dow Jones US Real Est ldx -

- 1. Income Gain Codes: A ""\$1,000 or less B \$t,00l -\$2,500 c \$2,501 -\$5,000 D s5.oo l -\$ t 5,ooo E \$15,001 - \$50,000  
(See Columns B1 and D4) F\$50,001 -\$l 00,000 G stoo,001 ->1.000,000 HI \$1,000,001 -\$5,000,000 H2 =More than \$5,000,000
- 2. Value Codes J =\$l 5,000 or less K =\$ l 5,00 l -\$50,000 L =\$50,00 l -\$ l 00,000 M st 00,00 l -\$250,000  
(See Columns C1 and D3) N =\$250,00 l -\$500,000 0 =\$500,001 -\$1,000,000 P1 =\$1,000,001 -\$5,000,000 P2 =\$5,000,00 l -\$25,000,000  
P3 =\$25,000,001 -\$50,000,000 P4 =More than \$50,000,000
- 3. Value Method Codes Q :o::Appraisal R =Cost (Real Estate Only) S =Assessment T ""Cash Market  
(See Column C2) U ""Book Value V =='Other W =Estimated

Bailey, John P

04/14/2008

VII. INVESTMENTS and TRUSTS income, value, transactions (Includes those of spouse and dependent child; see PP&#middot; 34-60 of filing instructions.;

-

D NONE (No reportable income, assets, or transactions.)

A. B. C. D.

Description of Assets Income during Gross value at end of Transactions during reporting period  
(including trust assets) reporting period reporting period

(1)

(2)

(1) (1) (2)

Place "(X)" after each asset Amount Type (e.g., Value Value  
exempt from prior disclosure Code 1 div., rent, Code 2 Method  
(A-H) or int.) (J-P) Code 3  
(Q-W)

-JPMorgan Diversified Mid Cap Growth

Date buy, sell, Month-redemption) Day

Type (e.g.,

Value Gain Identity of

Code 2 Code 1 buyer/seller

(J-P) (A-H) (ifprivate

transaction)

36.

-JPMorgan Diversified Mid Cap Value

37.

-JPMorgan Highbridge Stat Mkt Neut Fd

38.

-JPMorgan International Equity Index

-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)

-Microsoft Corp (com)

46. -AT&T Inc (com)  
-Verizon Communicatians (com)  
48.  
-United Parcel Svc Inc Cl B

49.  
-Greensboro NC Pub Impt Ser A Dtd 0210112005

50.  
-Raleigh NC Comb Enterprise Sys Rev Dtd 05/04/04

51.  
-Raleigh NC Comb Enterprise Sys Rev Ref Dtd 05105/05

I. Income Gain Codes: A =\$1,000 or Jess B =\$I ,00 t -\$2,500 c \$2,501 -\$5,000 D \$5,001 -\$15,000 E =\$15,001 - \$50,000

(See Columns BI aod D4) F \$50,001 -\$100,000 G \$100,00 I -\$I ,000,000 HI =\$1,000,001 -\$5,000,000 !-12 =More than \$5,000,000

2. Value Codes J \$15,000 or Jess K =\$15,001 -\$50,000 L \$50,001 -\$100,000 M =\$ t 00,00 I -\$250,000 (See Columns CI and 03) N =\$250,001 -\$500,000 o 1500,001 -\$1,000.000 PI =\$1,000,001 -\$5,000,000 P2 \$5,000,001 -\$25,000,000

P3 \$25,000,001 -\$50,000,000 P4 More than \$50,000,000

3. Value Method Codes Q =Appraisal R =Cost (Real Estate Only) S ""Assessment T =Casb Market (See Column C2) U o=oBook Value V ::=Other W o::Estimated

Name of Person Reporting

Date of Report

FINANCIAL DISCLOSURE REPORT Page 7 of 9

Bailey, John P

04/14/2008

VII. INVESTMENTS and TRUSTS -income, value, transactions (Includes tllose of spouse and dependent children; see PP&middot; 14-60 of filing instructions.)

D NONE (No reportable income, assets, or transactions.)

8.

c.

A.

Gross value at end of

Description of Assets

Income during

reporting period

(including tmst assets)

reporting period

(1) (2)

(!)

Value

Amount

Type (e.g.,

Place "(X)" after each asset

Code 1

Code 2

div., rent,

exempt from prior disclosure

(A-H)



or int.)

(J-P)

D.

Transactions during reporting period

(I)

(2) (3) (4) (5)

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

Value

Type (e.g.,

Method

buy, sell,

Code 3

redemption)

(Q-W)

52.

-Mason Cnty WVa Single Family Mtg Dtd 08/01179

53.

-Mecklenberg Cnty NC Pub Impt Ser A Dtd 02101105

-Rowan Cnty NC RefDtd 04101105

-Cabarrus Cnty NC Pub Impt Dtd 09/01106

56.

-Appalachian St Univ NC Rev RefDtd 04/20/05

57.

-Mecklenberg Cnty NC Pub Impt Ser B Dtd 08/01102

58.

-University NC Sys Pool Rev Ser A Dtd 04114105

59.

-Goldsboro NC RefDtd 04/01105

60.

-Beauford Cnty NC Dtd 04/01105

61.

-Brunswick Cnty NC Cmnty College Ser A Dtd 04101105

62.

-East Carolina Univ NC Univ Rev Ref Ser Dtd 06/19/03

1. Income Gain Codes: A =\$ t ,000 or less B =\$ 1 ,001 -\$2,500 c =\$2,501 -\$5,000 D =\$5,091 -\$15,000 E =\$ 1 5,00 1  
-\$50,000

(See Columns B1 and D4) F =\$50,001 -\$100,000 G =\$100,001 -\$1,000,000 HI =\$1,000,001 -\$5,000,000 H2 =More

than \$5,000,000

2. Value Codes J = \$15,000 or less K = \$15,001 - \$50,000 L = \$50,001 - \$100,000 M = \$100,001 - \$250,000  
(See Columns CJ and D3) 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 = More than \$50,000,000  
3. Value Method Codes Q = Appraisal R = Cost (Real Estate Only) S = Assessment T = Cash Market  
(See Column C2) U = Book Value V = Other W = Estimated

Date of Report

FINANCIAL DISCLOSURE REPORT Page 8 of 9

Bailey, John P

04/14/2008

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

##### Part I. Positions

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

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

Date of Report

FINANCIAL DISCLOSURE REPORT Page 9 of 9

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.

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY VIOLATES FEDERAL 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