

**FINANCIAL DISCLOSURE REPORT  
FOR CALENDAR YEAR 2007**

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)<br><br>FABER, DAVID A.  | <b>2. Court or Organization</b><br><br>WEST VIRGINIA SOUTHERN   | <b>3. Date of Report</b><br><br>04/11/2008                       |
| <b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)<br><br>US DISTRICT JUDGE (CHIEF)   | <b>5a. Report Type</b> (check appropriate type)<br><input type="checkbox"/> Nomination,                      Date<br><input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final<br><b>5b.</b> <input type="checkbox"/> Amended Report | <b>6. Reporting Period</b><br><br>01/01/2007<br>to<br>12/31/2007 |
| <b>7. Chambers or Office Address</b><br><br>P.O. BOX 4278<br>BLUEFIELD, WV 24701  | <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><br><br>Reviewing Officer _____ Date _____  |  |
| <p><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.</p> |   |  |

**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. _____        | _____                              |
| 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><br>(yours, not spouse's) |
|-------------|------------------------|--|
| 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. 2007     | Salary as teacher, Mercer County, West Virginia Board of Education |
| 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. Thrift Savings Plan | Loan from personal account | K                 |
| 2. _____               | _____                      | _____             |
| 3. _____               | _____                      | _____             |
| 4. _____               | _____                      | _____             |
| 5. _____               | _____                      | _____             |

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Date of Report

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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.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B.<br>Income during<br>reporting period |   | C.<br>Gross value at end of<br>reporting period |   | D.<br>Transactions during reporting period      |                               |                                 |                                |   |
|---|---|---|---|---|---|-------------------------------|---------------------------------|--------------------------------|---|
|   | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>Month -<br>Day | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 1. Smith Barney Citigroup IRA   | E                                       | Dividend                                      | P1  | T   |   |                               |                                 |                                |   |
| 2. Common Stocks:   |   |   |   |   |   |                               |                                 |                                |   |
| 3. █████ BAC  |   |   |   |   |   |                               |                                 |                                |   |
| 4. █████ PGN  |   |   |   |   | buy   | 6/26                          | K                               |                                |   |
| 5. █████ BMY  |   |   |   |   |   |                               |                                 |                                |   |
| 6. █████ BMY  |   |   |   |   |   |                               |                                 |                                |   |
| 7. █████ HPT  |   |   |   |   |   |                               |                                 |                                |   |
| 8. █████ RWT  |   |   |   |   | buy   | 10/25                         | K                               |                                |   |
| 9. █████ LSI  |   |   |   |   |   |                               |                                 |                                |   |
| 10. █████ WB  |   |   |   |   | buy   | 6/26                          | L                               |                                |   |
| 11. █████ NXL   |   |   |   |   | cash in merg                                    | 4/23                          | L                               | E                              |   |
| 12. █████ NEWP  |   |   |   |   |   |                               |                                 |                                |   |
| 13. █████ PCL   |   |   |   |   |   |                               |                                 |                                |   |
| 14. █████ SEIC  |   |   |   |   |   |                               |                                 |                                |   |
| 15. █████ SEIC  |   |   |   |   | split   | 6/22                          | J                               | A                              |   |
| 16. █████ VZ  |   |   |   |   |   |                               |                                 |                                |   |
| 17. █████ VZ  |   |   |   |   | buy   |                               | K                               |                                |   |

|  |   |  |   |  |                         |
|--|---|--|---|--|-------------------------|
| 1. Income Gain Codes:<br>(See Columns B1 and D4) | A = \$1,000 or less<br>F = \$50,001 - \$100,000                                       | B = \$1,001 - \$2,500<br>G = \$100,001 - \$1,000,000   | C = \$2,501 - \$5,000<br>H1 = \$1,000,001 - \$5,000,000       | D = \$5,001 - \$15,000<br>H2 = More than \$5,000,000                                     | E = \$15,001 - \$50,000 |
| 2. Value Codes<br>(See Columns C1 and D3)        | J = \$15,000 or less<br>N = \$250,001 - \$500,000<br>P3 = \$25,000,001 - \$50,000,000 | K = \$15,001 - \$50,000<br>O = \$500,001 - \$1,000,000 | P1 = \$1,000,001 - \$5,000,000<br>P4 = More than \$50,000,000 | L = \$50,001 - \$100,000<br>M = \$100,001 - \$250,000<br>P2 = \$5,000,001 - \$25,000,000 |                         |
| 3. Value Method Codes<br>(See Column C2)         | Q = Appraisal<br>U = Book Value   | R = Cost (Real Estate Only)<br>V = Other               | S = Assessment<br>W = Estimated                               | T = Cash Market  |                         |

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|  |                              |
|--|------------------------------|
| Name of Person Reporting<br><b>FABER, DAVID A.</b> | Date of Report<br>04/11/2008 |
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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.)

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

| A.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B.<br>Income during<br>reporting period |   | C.<br>Gross value at end of<br>reporting period |   | D.<br>Transactions during reporting period      |                               |                                 |                                |   |
|---|---|---|---|---|---|-------------------------------|---------------------------------|--------------------------------|---|
|   | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(●-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>Month -<br>Day | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 18. █████ CSCO  |   |   |   |   |   |                               |                                 |                                |   |
| 19. █████ CAG   |   |   |   |   |   |                               |                                 |                                |   |
| 20. █████ EMC   |   |   |   |   |   |                               |                                 |                                |   |
| 21. █████ HON   |   |   |   |   |   |                               |                                 |                                |   |
| 22. █████ MSFT  |   |   |   |   |   |                               |                                 |                                |   |
| 23. █████ PFE   |   |   |   |   |   |                               |                                 |                                |   |
| 24. █████ IAR   |   |   |   |   | sell  | 6/26                          | J                               | A                              |   |
| 25. Smith Barney Bank Deposit Program   | B                                       | Interest                                      | J   | T   |   |                               |                                 |                                |   |
| 26. USAA Money market   | A                                       | Interest                                      | J   | T   |   |                               |                                 |                                |   |
| 27. Gold coin collection  | A                                       |   | J   | W   |   |                               |                                 |                                |   |

|  |   |  |  |  |                         |
|--|---|--|--|--|-------------------------|
| 1. Income Gain Codes:<br>(See Columns B1 and D4) | A = \$1,000 or less<br>F = \$50,001 - \$100,000   | B = \$1,001 - \$2,500<br>G = \$100,001 - \$1,000,000   | C = \$2,501 - \$5,000<br>H1 = \$1,000,001 - \$5,000,000        | D = \$5,001 - \$15,000<br>H2 = More than \$5,000,000         | E = \$15,001 - \$50,000 |
| 2. Value Codes<br>(See Columns C1 and D3)        | J = \$15,000 or less<br>N = \$250,001 - \$500,000 | K = \$15,001 - \$50,000<br>O = \$500,001 - \$1,000,000 | L = \$50,001 - \$100,000<br>P1 = \$1,000,001 - \$5,000,000     | M = \$100,001 - \$250,000<br>P2 = \$5,000,001 - \$25,000,000 |                         |
| 3. Value Method Codes<br>(See Column C2)         | Q = Appraisal<br>U = Book Value                   | R = Cost (Real Estate Only)<br>V = Other               | P4 = More than \$50,000,000<br>S = Assessment<br>W = Estimated | T = Cash Market  |                         |

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|                                 |                       |
|---------------------------------|-----------------------|
| <b>Name of Person Reporting</b> | <b>Date of Report</b> |
| FABER, DAVID A.                 | 04/11/2008            |

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

Except for the last two entries, all of the assets listed in Part VII were held in the Salomon, Smith, Barney IRA identified in Part VII.

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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