



UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

901 19<sup>TH</sup> STREET, CHAMBERS A-638  
DENVER, COLORADO 80294

PHILLIP S. FIGA  
UNITED STATES DISTRICT JUDGE

TELEPHONE 303-335-2174  
FACSIMILE: 303-335-2317

July 12, 2006

**BY FIRST CLASS MAIL AND  
FACSIMILE (202-502-1899)**

Judicial Conference of the United States  
Committee on Financial Disclosure  
One Columbus Circle, N.E.  
Washington, D.C. 20544

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2006 JUL 18 A 11:14  
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Re: Calendar Year 2005 Filing – Amendment

To the Committee:

I am writing in response to the letter of July 3, 2006 to me from the Hon. Ortrie D. Smith, Chair of the Committee on Financial Disclosure. The following constitutes my responses to the additional information sought, as quoted below from the July 3rd letter:

- I. In Part VII, page 5, lines 10 and 22, you listed “VGSIX” and NAESX,” which were not in your 2004 report. If these assets were owned in 2004 and exempt from disclosure because their income and value were below the reporting thresholds, a parenthetical “(X)” should be inserted alongside the asset names as instructed in the heading to Column A. The notation “(X)” may also be used to account for an asset acquired through an exempt transaction, such as an inheritance or a gift from a family member. In the event that these assets were purchased in 2005, the information required in Column D should be provided. You may want to refer to pages 39 and 51-54 of the filing instructions.

**Response:** VGSIX is the symbol/acronym for Vanguard REIT Index Fund. NAESX is the symbol/acronym for Vanguard Small Cap Index Fund. Both were reported in my 2004 disclosure report at Part VII, page 3, lines 41 and 42, respectively, using their full fund names.

- II. In Part VII, page 4, line 1, you listed “Nonresidence Condominium.” Please disclose the city or county and state in which the property is located. Although you provided this information in response to an inquiry regarding your 2004 report, each report must be complete in and of itself. You may want to refer to page 37 of the filing instructions.

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Committee on Financial Disclosure  
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For the same asset, the income amount code and the income type should be provided in Column B. It should be noted that all income is reportable, whether taxable, tax deferred, or tax exempt. If no income was received, Column B(1) under "Amount" should be left blank and the word "NONE" should appear in Column B(2) under "Type." You may want to refer to pages 45-47 of the filing instructions.

**Response:** This nonresidence condominium is located in Summit County, Colorado. [REDACTED] No income was derived from that property in 2005.

II. In Part VII, page 1, line 3, page 2, lines 20, 21, 24 and 28, and page 3, lines 41-44 in your 2004 report, you listed various assets, but you did not list these assets in your 2005 report. If these assets are still owned but are now exempt from disclosure due to reduction in income and value, an explanation should be provided in Part VIII. If these assets were sold, information regarding these transactions should be provided in Column D. If neither of these is true, the information regarding income and value of these assets should be provided in Part VII of your 2005 report. You may want to refer to pages 39 and 51-54 of the filing instructions.

**Response:** The assets listed at Part VII, page 1, line 3 and page 2, lines 20, 21, 24 and 28 of my 2004 disclosure report now belong solely and unqualifiedly to [REDACTED] who have reached the age of majority, to the extent not already disposed of by them. I no longer have even an arguable equitable interest in such assets. I had thought that was made clear in my 2005 disclosure report (see the explanation set forth in my 2005 disclosure report at Part VIII, page 7).

The assets listed at Part VII, page 3, lines 41-44 of my 2004 report are listed respectively at lines 20, 22, 17 and 25 in my 2005 report, but using their mutual fund symbols/acronyms rather than their full fund names.

\* \* \* \* \*

I trust the above answers the outstanding questions referenced in Judge Smith's July 3, 2006 letter. Please let me know if it does not, and I will endeavor to provide such additional information forthwith.

Yours truly  
[REDACTED]  
Phillip S. Figa

PSF/wlr

cc: Hon. Ortrie D. Smith  
United States District Court  
For the Western District of Missouri

**FINANCIAL DISCLOSURE REPORT  
FOR CALENDAR YEAR 2005**

|   |   |  |
|---|---|--|
| <b>1. Person Reporting (last name, first, middle initial)</b><br>Figa, Phillip S  | <b>2. Court or Organization</b><br>District Court – Colorado  | <b>3. Date of Report</b><br>05/01/2006                       |
| <b>4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)</b><br>U.S. District Judge – Active  | <b>5a. Report Type (check appropriate type)</b><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>01/01/2005<br>to<br>12/31/2005 |
| <b>7. Chambers or Office Address</b><br>901 19th Street, Chambers A638<br>Denver, CO 80294  | <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>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 instructions.)

NONE (No reportable positions.)

| <u>POSITION</u>              | <u>NAME OF ORGANIZATION/ENTITY</u>                           |
|------------------------------|--|
| 1. Member, Board of Visitors | Weinberg College of Arts & Sciences, Northwestern University |
| 2.                           |  |
| 3.                           |  |
| 4.                           |  |
| 5.                           |  |

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

NONE (No reportable agreements.)

| <u>DATE</u> | <u>PARTIES AND TERMS</u>                              |
|-------------|---|
| 1. 2003     | Burns Figa & Will, P.C. Buy-Out Agreement, no control |
| 2.          |   |
| 3.          |   |

**FINANCIAL DISCLOSURE REPORT**

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Name of Person Reporting

Figa, Phillip S

Date of Report

05/01/2006

**III. NON-INVESTMENT INCOME.** *(Reporting individual and spouse; see pp. 17-24 of 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. 2005     | Burns Figa & Will, P.C. Buy-Out Payment | \$ 15,000                              |
| 2.          |   |  |
| 3.          |   |  |
| 4.          |   |  |
| 5.          |   |  |

**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. 2005     | Burns Figa & Will, P.C. - Salary |
| 2.          |                                  |
| 3.          |                                  |
| 4.          |                                  |
| 5.          |                                  |

**IV. REIMBURSEMENTS** *- transportation, lodging, food, entertainment.*

*(Includes those to spouse and dependent children. See pp. 25-27 of instructions.)*

NONE *(No reportable reimbursements.)*

| <u>SOURCE</u>  | <u>DESCRIPTION</u>  |
|--|---|
| 1. Colorado Bar Association Ethics Committee -- July 14-16           | Speaker at Summer Meeting, Aspen, CO (lodging, food)                                |
| 2. International Association of Defense Counsel (IADC) -- July 02-04 | Panel Member at Annual Meeting, The Broadmoor, Colorado Springs, CO (lodging, food) |
| 3.   |   |
| 4.   |   |
| 5.   |   |

**FINANCIAL DISCLOSURE REPORT**

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Name of Person Reporting

Figa, Phillip S

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**V. GIFTS.** *(Includes those to spouse and dependent children. See pp. 28-31 of 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. 32-34 of instructions.)*

NONE *(No reportable liabilities.)*

|    | <u>CREDITOR</u> | <u>DESCRIPTION</u> | <u>VALUE CODE</u> |
|----|-----------------|--------------------|-------------------|
| 1. |                 |                    |                   |
| 2. |                 |                    |                   |
| 3. |                 |                    |                   |
| 4. |                 |                    |                   |
| 5. |                 |                    |                   |

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Name of Person Reporting

Figa, Phillip S

Date of Report

05/01/2006

**VII. INVESTMENTS and TRUSTS -- income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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>merger,<br>redemption) | If not exempt from disclosure |                                 |                                |   |
|   |   |  |   |   |   | (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. Nonresidence Condominium   |   |  | M   | W   |   |                               |                                 |                                |   |
| 2. State of Israel Bonds  | A                                       | Interest                                     | J   | T   |   |                               |                                 |                                |   |
| 3. Arapahoe Plaza III LLC   | C                                       | Dividend                                     | L   | W   |   |                               |                                 |                                |   |
| 4. Account No. 1  |   |  |   |   |   |                               |                                 |                                |   |
| 5. -- IJH   | A                                       | Dividend                                     | K   | T   |   |                               |                                 |                                |   |
| 6. -- QQQQ  | A                                       | Dividend                                     | K   | T   |   |                               |                                 |                                |   |
| 7. -- SGP (common)  |   | Dividend                                     |   |   | Sale  | 6/13                          | K                               | A                              |   |
| 8. -- SWVXX   | D                                       | Interest                                     | M   | T   | Buy   | 1/11                          | M                               |                                |   |
| 9. -- VFINX   | B                                       | Dividend                                     | K   | T   |   |                               |                                 |                                |   |
| 10. Account No. 2   |   |  |   |   |   |                               |                                 |                                |   |
| 11. -- VGT SX   | A                                       | Dividend                                     | K   | T   |   |                               |                                 |                                |   |
| 12. -- VTSMX  | A                                       | Dividend                                     | K   | T   |   |                               |                                 |                                |   |
| 13. -- VFINX  | C                                       | Dividend                                     | M   | T   |   |                               |                                 |                                |   |
| 14. 401(K) #1   |   |  |   |   |   |                               |                                 |                                |   |
| 15. -- Fidelity 2020 Fund   | E                                       | Interest                                     | N   | T   |   |                               |                                 |                                |   |
| 16. IRA #1  |   |  |   |   |   |                               |                                 |                                |   |
| 17. -- VTSMX  | D                                       | Dividend                                     |   |   | Pt. Sale  | 1/04                          | L                               | C                              |   |

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

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Name of Person Reporting

Figa, Phillip S

Date of Report

05/01/2006

**VII. INVESTMENTS and TRUSTS** – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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>merger,<br>redemption) | If not exempt from disclosure |                                 |                                |   |
|   |   |  |   |   |   | (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.   |   |  |   |   | Sale  | 8/18                          | O                               | E                              |   |
| 19. – VTSAX   | C                                       | Dividend                                     | O   | T   | Buy   | 8/18                          | O                               |                                |   |
| 20. – VGSEX   | B                                       | Dividend                                     |   |   | Sale  | 8/18                          | M                               | E                              |   |
| 21. – VGSLX   |   | Dividend                                     | L   | T   | Buy   | 8/18                          | M                               |                                |   |
| 22. – NAESX   |   | None   |   |   | Sale  | 1/04                          | L                               | D                              |   |
| 23. – VISVIX  | B                                       | Dividend                                     | L   | T   | Buy   | 1/04                          | L                               |                                |   |
| 24. – VEIEX   | B                                       | Dividend                                     | L   | T   | Buy   | 1/04                          | L                               |                                |   |
| 25. – VGTSX   | C                                       | Dividend                                     | M   | T   |   |                               |                                 |                                |   |
| 26. IRA #2  |   |  |   |   |   |                               |                                 |                                |   |
| 27. – Fidelity Balanced Fund  | A                                       | Dividend                                     | K   | T   |   |                               |                                 |                                |   |
| 28. IRA #3  |   |  |   |   |   |                               |                                 |                                |   |
| 29. – PFORX   | A                                       | Dividend                                     | J   | T   |   |                               |                                 |                                |   |
| 30. – PZFBVX  | A                                       | Dividend                                     | J   | T   |   |                               |                                 |                                |   |
| 31. – GFAFX   | A                                       | Dividend                                     | K   | T   |   |                               |                                 |                                |   |
| 32. – FDVIX   | A                                       | Dividend                                     | J   | T   |   |                               |                                 |                                |   |
| 33. – VFSTX   | A                                       | Dividend                                     | J   | T   |   |                               |                                 |                                |   |
| 34. – AVFIX   | A                                       | Dividend                                     | J   | T   |   |                               |                                 |                                |   |

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

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Name of Person Reporting

Figa, Phillip S

Date of Report

05/01/2006

**VII. INVESTMENTS and TRUSTS** – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-37 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>merger,<br>redemption) | If not exempt from disclosure |                                 |                                |   |
|   |   |  |   |   |   | (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) |
| 35. – MHCAX   | A                                       | Dividend                                     | J   | T   |   |                               |                                 |                                |   |
| 36. – PMCIX   | A                                       | Dividend                                     | J   | T   |   |                               |                                 |                                |   |

|  |   |  |  |  |                         |
|--|---|--|--|--|-------------------------|
| 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 | T = Cash Market         |
| 3. Value Method Codes<br>(See Column C2)         | P3 = \$250,000,001 - \$500,000,000<br>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 |  |                         |



**FINANCIAL DISCLOSURE REPORT**

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Name of Person Reporting

Figa, Phillip S

Date of Report

05/01/2006

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

Section VII. -- Certain changes from my last report (5/10/05) are unreported because [REDACTED] have taken control of their finances.

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Name of Person Reporting

Figa, Phillip S

Date of Report

05/01/2006

**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

5/2/06

NOTE: AN  
AND CRIM

ES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL

**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