

MILLER JAMES B JR  
Form 5  
February 08, 2008

# FORM 5

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION**  
**Washington, D.C. 20549**

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).  
Form 3 Holdings Reported Form 4 Transactions Reported

**ANNUAL STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

1. Name and Address of Reporting Person \*  
MILLER JAMES B JR

2. Issuer Name and Ticker or Trading Symbol  
FIDELITY SOUTHERN CORP  
[LION]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

3. Statement for Issuer's Fiscal Year Ended (Month/Day/Year)  
12/31/2007

Director  10% Owner  
 Officer (give title below)  Other (specify below)  
Executive Officer / Executive Officer

3490 PIEDMONT ROAD, SUITE 1550

(Street)

4. If Amendment, Date Original Filed (Month/Day/Year)

6. Individual or Joint/Group Reporting

(check applicable line)

ATLANTA, GA 30305

Form Filed by One Reporting Person  
 Form Filed by More than One Reporting Person

(City) (State) (Zip)

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned at end of Issuer's Fiscal Year (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Ownership (Instr. 4)
				(A) or (D) Price			
Fidelity Southern Corporation - Common Stock	12/31/2007	Â	J4	100 <sup>(1)</sup> A \$ 18.378	2,234,604.2954	D	Â
Fidelity Southern Corporation - Common	12/31/2007	Â	J	1,100 <sup>(2)</sup> D \$ <sup>(3)</sup>	2,233,504.2954	D	Â

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Stock

Fidelity Southern Corporation - Common Stock	12/31/2007	Â	J	2,594.6412 (4)	A	\$ (4)	98,805.252	I	By 401(k)
Fidelity Southern Corporation - Common Stock	12/31/2007	Â	J	43.3333 (5)	A	\$ (5)	2,999.8479	I	By Grandchild - N.P. Miller
Fidelity Southern Corporation - Common Stock	12/31/2007	Â	J	1,100 (2)	A	\$ (3)	1,100	I	By IRA
Fidelity Southern Corporation - Common Stock	12/31/2007	Â	J	25.4814 (5)	A	\$ (5)	88,444.996	I	By Spouse
Fidelity Southern Corporation - Common Stock	12/31/2007	Â	J4	385 (1)	A	\$ (6)	88,829.996	I	By Spouse
Fidelity Southern Corporation - Common Stock	Â	Â	Â	Â	Â	Â	33,009	I	By Child B.P. Miller
Fidelity Southern Corporation - Common Stock	Â	Â	Â	Â	Â	Â	35,895	I	By Child E.P. Miller
Fidelity Southern Corporation - Common Stock	Â	Â	Â	Â	Â	Â	31,131	I	By Child K. Lane Miller
Fidelity Southern Corporation - Common Stock	Â	Â	Â	Â	Â	Â	180,433	I	By Share Held By Ltd Partners

Fidelity  
Southern  
Corporation - Common  
Stock

Â                      Â                      Â                      Â                      Â                      Â                      213,768                      I

By Trust  
Family

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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SEC 2270  
(9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned**  
(e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. of D Se B O E Is Fi (I
						Date Exercisable	Expiration Date	Title	Amount or Number of Shares
						(A)	(D)		

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
MILLER JAMES B JR 3490 PIEDMONT ROAD SUITE 1550 ATLANTA, GA 30305	Â X	Â X	Â Executive Officer	Executive Officer

## Signatures

By: Barbara McNeill, Attorney in Fact                      02/08/2008

\_\_Signature of Reporting Person                      Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Error noted in reconciliation of shares.
- (2) To correct a reporting error discovered in reconciling shares.
- (3) 1000 shares @ \$14.375; 100 shares @ \$18.375.

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- (4) Purchased at various times and various prices in Fidelity Southern Corporation 401(k) in 2007
- (5) Purchased at various times and prices in Fidelity Southern Corporation Dividend Reinvestment Plan in 2007.
- (6) Error noted in reconciliation of shares. No price or date of purchase available.

Note: File three copies of this Form, one of which must be manually signed. If space provided is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.