

MILLER JAMES B JR  
Form 5  
February 12, 2007

# 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  
(Last) (First) (Middle)

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

3. Statement for Issuer's Fiscal Year Ended (Month/Day/Year)  
12/31/2006

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

5. Relationship of Reporting Person(s) to Issuer  
(Check all applicable)  
 Director  10% Owner  
 Officer (give title below)  Other (specify below)  
Executive Officer / Executive Officer

6. Individual or Joint/Group Reporting  
(check applicable line)  
 Form Filed by One Reporting Person  
 Form Filed by More than One Reporting Person

3490 PIEDMONT ROAD, SUITE 1550  
(Street)

ATLANTA, GA 30305  
(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 Indirect Beneficial Ownership (Instr. 4)
Fidelity Southern Corporation - Common Stock	12/31/2006	Â	J	1.7808 <sup>(1)</sup> A \$ <sup>(1)</sup>	2,227,590.0351	D	Â
Fidelity Southern Corporation - Common	12/31/2006	Â	J	2,488.7853 <sup>(2)</sup> A \$ <sup>(2)</sup>	96,210.6108	I	By 401(k)

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Stock										
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	2,420.2543	I		By Grandchild - N.P. Miller
Fidelity Southern Corporation - Common Stock	Â	Â	Â	Â	Â	Â	180,433	I		By Shares Held By Ltd Partnership
Fidelity Southern Corporation - Common Stock	Â	Â	Â	Â	Â	Â	87,883.2543	I		By Spouse
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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**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	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities	8. Price of Derivative Security (Instr. 5)	9. of D S
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Derivative  
Security

Securities  
Acquired  
(A) or  
Disposed  
of (D)  
(Instr. 3,  
4, and 5)

(Instr. 3 and 4)

(A) (D) Date Expiration Title Amount  
Exercisable Date Date or  
Number  
of  
Shares

## Reporting Owners

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

## Signatures

By: Barbara McNeill, Attorney  
in Fact 02/12/2007

\_\_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) Purchased in FSC DRIP at various times and various prices during 2006
- (2) Purchased at various times and various prices in Fidelity Southern Corporation 401(k) in 2006

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.