

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2018

Report Required by the Ethics
in Government Act of 1978
(5 U.S.C. app. §§ 101-111)

1. Person Reporting (last name, first, middle initial) Bennett, Mark J.	2. Court or Organization U.S. Court of Appeals, Ninth Circuit	3. Date of Report 07/25/2019
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. Circuit Judge-Active Status	5a. Report Type (check appropriate type) ☐ Nomination ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2018 to 12/31/2018
7. Chambers or Office Address 300 Ala Moana Blvd. Honolulu HI 96850		
IMPORTANT NOTES: The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information.		

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.	Director	Starn, O'Toole, Marcus & Fisher, a Law Corporation
2.	Director	American Judicature Society
3.	Member, Advisory Board	Sex Abuse Treatment Center, Hawaii
4.	Member/Owner	Beecher Hill Properties, LLC
5.	Trustee	Trust #1

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. 2011	Starn O'Toole Marcus & Fisher Retirement Plan with law firm (concluded at the end of 2018)
2. 2008	State of Hawaii (defined benefit pension plan)
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> (yours, not spouse's)
1. 2018	Starn O'Toole Marcus & Fisher (salary)	\$612,433.00
2. 2018	State of Hawaii (pension)	\$20,772.00
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. 2018	State of Hawaii (salary)
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.		
2.		
3.		
4.		
5.		

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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. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Ally Bank (cash)	D	Interest	N	T					
2. Hawaii State Credit Union (cash)		None	N	T					
3. United States Series I Savings Bonds	C	Interest	M	T					
4. Precious metals (gold, silver, and platinum, bullion, and coins)		None	M	W					
5. Brokerage Account #1 (H)									
6. Fidelity Intl Cap Appreciation Fund (FIVFX)	A	Dividend	K	T					
7. Fidelity 500 Index Fund (FXAIX) (formerly FUSVX)	A	Dividend	K	T					
8. Fidelity Advisor New Insights CL 1 (FINSX)	C	Dividend	K	T					
9. Fidelity Growth Company (FDGRX)		None	J	T	Buy	12/31/18	J		
10. American Beacon Large Cap Investor (AAGPX)	A	Dividend	J	T					
11. Diamond Hill Small Cap Class A (DHSCX)	A	Dividend	J	T					
12. Oakmark Intl Investor C1 (OAKIX)	A	Dividend	J	T	Sold (part)	08/20/18	J		
13. Janus Henderson Enterprise T (JAENX)	A	Dividend	J	T					
14. Lazard Emerging Mkts Equity (LZOEX)	A	Dividend	J	T					
15. MFS International Diversification Fund A (MDIDX)	A	Dividend	K	T					
16. Morgan Sta Inst Inc Internal Equity (MIQBX)	B	Dividend	J	T					
17. Oppenheimer Dev Mkts Class 1 (ODVIX)	A	Dividend	J	T	Buy (add'l)	10/09/18	J		

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

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18.					Sold (part)	11/14/18	J		
19. T Rowe Price Overseas Stock I Cl (TROIX)	A	Dividend	J	T					
20. T Rowe Price Mid Cap Value Adv (TAMVX)	B	Dividend	J	T					
21. Transamerica Intl Equity Cl I (TSWIX)	A	Dividend	J	T					
22. Wells Fargo Special Mid Cap Adm (WFMDX)	A	Dividend	J	T					
23. Fidelity Tax-Free Bond (FTABX)		None	K	T	Buy (add'l)	10/09/18	K		
24.					Sold (part)	11/14/18	J		
25.					Sold (part)	12/31/18	J	A	
26. Strategic Adv Tax Sensitive Short Duration (FGNSX)	A	Dividend	K	T	Sold (part)	12/31/18	J		
27. Delaware Tax Free USA Class A (DMTFX)	A	Dividend	J	T	Sold (part)	10/09/18	J		
28. DWS Managed Muni Bond Fd S (SCMBX)	C	Dividend	L	T					
29. T Rowe Price Tax Free High Yield (PRFHX)	A	Dividend	J	T	Buy	11/14/18	J		
30.					Buy (add'l)	12/18/18	J		
31. Templeton Global Bond Class A (TPINX)	A	Dividend	J	T					
32. Fidelity Government Cash Reserves (FDRXX)	A	Dividend	J	T					
33. Flexshares Trust Morningstar Global Upstream Nat Res (GUNR)	A	Dividend	J	T	Sold (part)	10/10/18	J	A	
34.					Sold (part)	11/15/18	J	A	

1. Income Gain Codes: (See Columns B1 and D4)	A = \$1,000 or less F = \$50,001 - \$100,000	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000	C = \$2,501 - \$5,000 H1 = \$1,000,001 - \$5,000,000	D = \$5,001 - \$15,000 H2 = More than \$5,000,000	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$50,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
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35.					Buy (add'l)	12/19/18	J		
36. Ishares MSCI EAFE ETF (EFA)	A	Dividend	J	T	Buy	10/10/18	J		
37.					Sold	11/15/18	J	A	
38.					Buy	12/19/18	J		
39. Ishares Russell 1000 Value ETF (IWD)	A	Dividend	L	T					
40. Ishares Russell 1000 Growth ETF (IWF)		None	K	T					
41. Ishares Tr S&P Small Cap 600 Growth ETF (IJT)	A	Dividend			Sold	08/21/18	J	A	
42. Ishares S&P Smallcap 600 Value (IJS)		None	J	T	Buy	12/31/18	J		
43. Ishares Edge MSCI USA Quality (QUAL)		None	J	T	Buy	12/19/18	J		
44. Ishares Inc Core MSCI Emerging Mkts (IEMG)	A	Dividend	J	T	Buy (add'l)	08/21/18	J		
45.					Sold (part)	10/10/18	J	A	
46.					Buy (add'l)	11/15/18	J		
47. Sector Spdr Tr Shs Ben Int Fin (XLF)	A	Dividend	J	T					
48. Vanguard Sector Index FDS Vanguard Finls (VFH)	A	Dividend	J	T					
49. Vanguard Index Fds Vanguard Large Cap (VV)	A	Dividend	K	T					
50. T Rowe Price New Era (PRNEX)	A	Dividend			Sold	12/18/18	J		
51. Harbor International Institutional Fd (HAINX)		None			Sold	10/09/18	J	A	

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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 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	
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52. Deutsche Strategic High Yld Tax Free S (SHYTX)	A	Dividend			Sold	10/09/18	K		
53. Mainstay Tax Free Bond Class A (MTBAX)	A	Dividend			Sold	11/14/18	J		
54. Brokerage Account #2 (H)									
55. Fidelity Money Market Account (cash)	A	Interest	J	T					
56. Fidelity Advisor Growth Oppty C1 I (FAGCX)	C	Dividend	K	T					
57. Fidelity 500 Index Fund (FXAIX) (formerly FUSVX)	A	Dividend	K	T					
58. Fidelity Low Priced Stock (FLPSX)	B	Dividend	J	T					
59. IRA #1 (H)									
60. Strategic Advisers Core Fund (FCSAX)	C	Dividend	K	T	Sold (part)	09/07/18	J	A	
61.					Buy (add'l)	12/14/18	J		
62. Strategic Advisers Growth Fund (FSGFX)	B	Dividend	K	T					
63. Strategic Advisers Value Fund (FVSAX)	B	Dividend	K	T					
64. Strategic Advisers Emerging Markets (FSAMX)	A	Dividend	J	T					
65. Strategic Advisers Small-Mid Cap Fd (FSCFX)	B	Dividend	J	T	Buy (add'l)	10/17/18	J		
66. Strategic Advisers International Fund (FILFX)	B	Dividend	K	T					
67. Fidelity SAI U.S. Large Cap Index (FLCPX)	A	Dividend	J	T					
68. Fidelity SAI International Index (FIONX)	A	Dividend	J	T					

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69. Fidelity SAI Emerg Markets Index (FERGX)	A	Dividend	J	T					
70. AQR Managed Futures Fund Class N (AQMNX)		None	J	T					
71. Strategic Advisers Short Duration Fund (FAUDX)	A	Dividend	J	T					
72. Strategic Advisers Income Opportunities (FPIOX)	A	Dividend	J	T					
73. Strategic Advisers Core Income Fund (FPCIX)	B	Dividend	L	T	Buy (add'l)	09/07/18	J		
74.					Sold (part)	10/17/18	J	A	
75.					Sold (part)	12/28/18	J	A	
76. Eaton Vance GL Macro Absolute (EGRIX)	A	Dividend	J	T					
77. Pimco Commodity Real Return Inst (PCRIX)	A	Dividend	J	T					
78. FIMM Government Portfolio: Instl CL (FRGXX)	A	Dividend	J	T	Buy (add'l)	12/14/18	J		
79. IRA #2 (H)									
80. Strategic Advisers Core Fund (FCSAX)	D	Dividend	L	T	Sold (part)	09/07/18	J	B	
81.					Buy (add'l)	12/14/18	J		
82.					Buy (add'l)	12/28/18	J		
83. Strategic Advisers Growth Fund (FSGFX)	D	Dividend	K	T	Sold (part)	09/07/18	J	A	
84.					Buy (add'l)	10/17/18	J		
85.					Buy (add'l)	12/28/18	J		

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86. Strategic Advisers Value Fund (FVSAX)	C	Dividend	K	T	Sold (part)	09/07/18	J	A	
87.					Buy (add'l)	12/28/18	J		
88. Strategic Advisers Emerging Markets (FSAMX)	A	Dividend	K	T					
89. Strategic Advisers Small-Mid Cap Fd (FSCFX)	C	Dividend	K	T	Sold (part)	09/07/18	J	A	
90.					Buy (add'l)	10/17/18	J		
91. Strategic Advisers International Fund (FILFX)	C	Dividend	L	T	Buy (add'l)	09/07/18	J		
92.					Buy (add'l)	12/14/18	J		
93. Fidelity SAI U.S. Large Cap Index (FLCPX)	A	Dividend	J	T					
94. Fidelity SAI International Index (FIONX)	A	Dividend	J	T	Sold (part)	12/14/18	J	A	
95. Fidelity SAI Emerg Markets Index (FERGX)	A	Dividend	J	T	Buy (add'l)	09/07/18	J		
96.					Sold (part)	12/14/18	J	A	
97. AQR Multi Strgy Alternative Class N (ASANX)		None	J	T					
98. AQR Managed Futures Fund Class N (AQMNX)		None	J	T					
99. Strategic Advisers Short Duration Fund (FAUDX)	A	Dividend	K	T	Sold (part)	09/07/18	J	A	
100.					Sold (part)	12/14/18	J	A	
101. Strategic Advisers Income Opportunities (FPIOX)	A	Dividend	J	T	Sold (part)	12/14/18	J	A	
102. Strategic Advisers Core Income Fund (FPCIX)	C	Dividend	M	T	Buy (add'l)	09/07/18	J		

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103.					Sold (part)	10/17/18	J	B	
104.					Sold (part)	12/28/18	J	A	
105. Eaton Vance GL Macro Absolute (EGRIX)	A	Dividend	J	T					
106. Pimco Commodity Real Return Inst (PCRIX)	A	Dividend	J	T					
107. FIMM Government Portfolio: Instl CL (FRGXX)	A	Dividend	J	T	Sold (part)	09/07/18	J		
108.					Sold (part)	09/24/18	J		
109.					Sold (part)	11/13/18	J		
110.					Buy (add'l)	12/14/18	J		
111. IRA #3 (H)									
112. American Century One Choice 2020 INV (ARBVX)	E	Dividend	N	T	Buy (add'l)	10/02/18	K		
113. Touchstone Merger Arbitrage Fund Cl A (TMGAX)	A	Dividend	J	T					
114. Fidelity Total Bond (FTBFX)	B	Dividend	K	T					
115. Pimco Low Duration Class A (PTLAX)	A	Dividend	K	T					
116. T Rowe Price Gbl Multi Sector Bond Fd (PRSNX)	B	Dividend	K	T					
117. IRA #4 (H)									
118. Thompson Bond Fund (THOPX)	B	Dividend	L	T					
119. IRA #5 (H)									

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

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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. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
120. Strategic Advisers Core Fund (FCSAX)	A	Dividend	J	T					
121. Strategic Advisers Growth Fund (FSGFX)	A	Dividend	J	T					
122. Strategic Advisers Value Fund (FVSAX)	A	Dividend	J	T					
123. Strategic Advisers Emerging Markets (FSAMX)	A	Dividend	J	T					
124. Strategic Advisers Small-Mid Cap Fd (FSCFX)	A	Dividend	J	T					
125. Strategic Advisers International Fund (FILEX)	A	Dividend	J	T					
126. Fidelity SAI U.S. Large Cap Index (FLCPX)	A	Dividend	J	T					
127. Fidelity SAI International Index (FIONX)	A	Dividend	J	T					
128. Strategic Advisers Short Duration Fund (FAUDX)	A	Dividend	J	T					
129. Strategic Advisers Core Income Fund (FPCIX)	A	Dividend	K	T					
130. IRA #6 (H)									
131. Thompson Bond Fund (THOPX)	A	Dividend	K	T					
132. Island Savings Plan #1 (H)									
133. Prudential Stable Value Fund		None	M	T					
134. Black Rock TRB Fund (MAHQX)		None	K	T					
135. Black Rock US Large Cap Fund (BRGNX)		None	M	T					
136. Island Savings Plan #2 (H)									

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

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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. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
137. Prudential Stable Value Fund		None	N	T					
138. Black Rock TRB Fund (MAHQX)		None	K	T					
139. Black Rock US Large Cap Fund (BRGNX)		None	N	T					
140. Miscellaneous Holdings (H)									
141. WCP Real Estate Fund III, LP	D	Distribution	L	T					
142. WCP Real Estate Fund IV, LP	D	Distribution	M	T					
143. Private Mortgage, Binghamton, NY #1	D	Interest	L	T					Sylvia Vestey
144. Private Mortgage, Binghamton, NY #2	D	Interest	M	T					Sylvia Vestey
145. Rental Property #1, Honolulu, Hawaii	E	Rent	O	W					
146. Rental Property #2, Honolulu, Hawaii		None	O	W					
147. Rental Property #3 Honolulu, Hawaii	E	Rent	N	W					
148. Rental Property #4, Honolulu, Hawaii	E	Rent	O	W					
149. Rental Property #5, Honolulu, Hawaii	E	Rent	O	W					
150. Rental Property Owego, New York	E	Rent	M	W					

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

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

Part I, lines 1 and 3: Resigned upon taking the bench.

Part I, line 4: Reportable assets of this entity are included in Part VII.

Part I, line 5: This entity contains no reportable assets. As a result, this position was inadvertently omitted from the nomination report.

Part VII, Column A: Various holdings were moved between accounts; there are no reportable transactions associated with these moves.

Part VII, lines 132 and 136: Formerly Hawaii Deferred Compensation. These accounts report only in unit value and do not allocate income to individual holdings.

Part VII, lines 4, 115, 133, and 137: Name or ticker symbol changes only; see lines 124, 95, 134, and 130 of the nomination report, respectively.

Part VII, Lines 4, 15, 20, 23, 29, 37-44, 64, 71, 90-92, 102, 112-114, 116, 118-121, and 138 of the nomination report are not reportable on the 2018 annual report; there are not corresponding reportable transactions..

Part VII, Column B: Lines reflecting no income are so reported because none was attributed to those particular holdings during the reporting period, whether taxable, tax exempt, or tax deferred, or because the investments do not allocate income to individual holdings, but instead are credited only in unit value, per page 42 of the filing instructions.

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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: s/ **Mark J. Bennett**

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILLFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

Committee on Financial Disclosure
Administrative Office of the United States Courts
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