

# FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2017

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>Hercher, David W.                                                                                                                    | <b>2. Court or Organization</b><br><br>U.S. Bankruptcy Court District of Oregon                                                                                                                                                                                                                     | <b>3. Date of Report</b><br><br>08/30/2019                       |
| <b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)<br><br>U.S. Bankruptcy Judge                                                         | <b>5a. Report Type</b> (check appropriate type)<br><input type="checkbox"/> Nomination <input type="checkbox"/> Date<br><input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final<br><b>5b.</b> <input checked="" type="checkbox"/> Amended Report | <b>6. Reporting Period</b><br><br>01/01/2017<br>to<br>12/31/2017 |
| <b>7. Chambers or Office Address</b><br><br>1001 S.W. Fifth Avenue #700<br>Portland, OR 97204                                                                                                             |                                                                                                                                                                                                                                                                                                     |                                                                  |
| <p align="center"><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.</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. Employee (1/1/17-1/22/17) | Miller Nash Graham & Dunn LLP (former law firm) |
| 3. Director                  | Federal Bar Association, Oregon Chapter         |
| 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. 2017     | Miller Nash Graham & Dunn LLP; salary 1/1/17-1/22/17 | \$7,264.19                             |
| 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. 2017     | Mt. Hood Community College; teaching salary |
| 2. 2017     | Warren & Sugarman; lawyer salary            |
| 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. Oregon State Bar | 4/6/17-4/7/17   | Vancouver, WA   | Northwest Bankruptcy Institute (speaker)                 | Tuition dinner for filer and spouse, and \$10 speaker honorarium |
| 3. Oregon State Bar | 9/20/17-9/21/17 | Eugene, OR      | Debtor-Creditor Section Annual Meeting and CLE (speaker) | Tuition and dinner for filer and spouse                          |
| 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. | Chase Bank                   | Credit-card account | J                 |
| 3. | U.S. Department of Education | Student loan        | M                 |
| 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.<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<br>of 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>mm/dd/yy | (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. Bank of America : checking account                                                                                       |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 2. Fidelity Investments (H)                                                                                                 |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 3. - Fid Freedom K 2040 (mutual fund)                                                                                       | E                                       | Dividend                                      |                                                 |                                           | Buy<br>(add'l)                                  | 05/30/17                | J                               |                                |                                                                   |
| 4.                                                                                                                          |                                         |                                               |                                                 |                                           | Redeemed                                        | 09/08/17                | P1                              | G                              |                                                                   |
| 5. - Fid Freedom 2040 K (mutual fund)                                                                                       | A                                       | Dividend                                      |                                                 |                                           | Buy                                             | 09/08/17                | P1                              |                                |                                                                   |
| 6.                                                                                                                          |                                         |                                               |                                                 |                                           | Redeemed                                        | 12/22/17                | P1                              | F                              |                                                                   |
| 7. Hartford Funds : Growth Opportunities Fd-A (mutual fund)                                                                 | D                                       | Dividend                                      | M                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 8. Key Bank : IRA cash equivalent                                                                                           | A                                       | Interest                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 9. Miller Nash Graham & Dunn LLP : law-firm capital account                                                                 |                                         | None                                          |                                                 |                                           | Distributed<br>(part)                           | 01/13/17                | J                               |                                |                                                                   |
| 10.                                                                                                                         |                                         |                                               |                                                 |                                           | Distributed<br>(part)                           | 02/15/17                | J                               |                                |                                                                   |
| 11.                                                                                                                         |                                         |                                               |                                                 |                                           | Distributed<br>(part)                           | 03/15/17                | J                               |                                |                                                                   |
| 12.                                                                                                                         |                                         |                                               |                                                 |                                           | Distributed<br>(part)                           | 04/14/17                | J                               |                                |                                                                   |
| 13.                                                                                                                         |                                         |                                               |                                                 |                                           | Distributed<br>(part)                           | 05/15/17                | J                               |                                |                                                                   |
| 14.                                                                                                                         |                                         |                                               |                                                 |                                           | Distributed<br>(part)                           | 06/15/17                | J                               |                                |                                                                   |
| 15.                                                                                                                         |                                         |                                               |                                                 |                                           | Distributed<br>(part)                           | 07/14/17                | J                               |                                |                                                                   |
| 16.                                                                                                                         |                                         |                                               |                                                 |                                           | Distributed<br>(part)                           | 08/15/17                | J                               |                                |                                                                   |
| 17.                                                                                                                         |                                         |                                               |                                                 |                                           | Distributed<br>(part)                           | 09/15/17                | J                               |                                |                                                                   |

|                                                  |                                                                                       |                                                        |                                                                                           |                                                              |                         |
|--------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------|
| 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 = \$250,000.01 - \$50,000,000 | 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<br>P4 = More than \$50,000,000 | 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               | S = Assessment<br>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.<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<br>of 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>mm/dd/yy | (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.                                                                 |   |          |    |   | Distributed<br>(part) | 10/13/17 | J  |  |  |
| 19.                                                                 |   |          |    |   | Distributed<br>(part) | 11/15/17 | J  |  |  |
| 20.                                                                 |   |          |    |   | Distributed<br>(part) | 12/15/17 | J  |  |  |
| 21.                                                                 |   |          |    |   | Distributed<br>(part) | 12/29/17 | J  |  |  |
| 22. Northwestern Mutual Life Insurance<br>Company (H)               |   |          |    |   |                       |          |    |  |  |
| 23. - Access Fund cash account                                      | C | Interest | L  | T |                       |          |    |  |  |
| 24. - Adjustable Complife #1                                        | A | Dividend | J  | T |                       |          |    |  |  |
| 25. - Adjustable Complife #2                                        | B | Dividend | J  | T |                       |          |    |  |  |
| 26. - Adjustable Complife #3                                        | A | Dividend | J  | T |                       |          |    |  |  |
| 27. - 65 Life Policy                                                | A | Dividend | K  | T |                       |          |    |  |  |
| 28. - Whole Life Policy                                             | A | Dividend | J  | T |                       |          |    |  |  |
| 29. Oregon College Savings Plan: Age Based<br>Portfolio 18 and Over |   | None     | J  | T |                       |          |    |  |  |
| 30. Oregon Public Employees Retirement<br>System                    | B | Dividend | J  | T |                       |          |    |  |  |
| 31. Standard Insurance Company (H)                                  |   |          |    |   |                       |          |    |  |  |
| 32. - Dodge & Cox Balanced Fund (mutual<br>fund)                    | D | Dividend | M  | T | Buy                   | 12/04/17 | M  |  |  |
| 33. - T.Rowe Price Reitre I 2040 I (mutual fund)                    |   | None     | P1 | T | Buy                   | 12/29/17 | P1 |  |  |
| 34. - Vanguard Star Fund Star Port                                  | B | Dividend |    |   | Buy<br>(add'l)        | 01/03/17 | J  |  |  |

|                                                  |                                                                                       |                                                        |                                                                                           |                                                              |                         |
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| 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 | L = \$50,001 - \$100,000<br>P1 = \$1,000,001 - \$5,000,000<br>P4 = More than \$50,000,000 | 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               | S = Assessment<br>W = Estimated                                                           | T = Cash Market                                              |                         |

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|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------|-------------------------------------------|-------------------------------------------------|-------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (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>mm/dd/yy | (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.                                    |   |          |   |   | Buy<br>(add'l) | 01/05/17 | J |  |  |
| 36.                                    |   |          |   |   | Buy<br>(add'l) | 02/03/17 | J |  |  |
| 37.                                    |   |          |   |   | Redeemed       | 12/04/17 | M |  |  |
| 38. U.S. Agencies FCU : share account  | A | Interest | J | T |                |          |   |  |  |
| 39. U.S. Bank National Association (H) |   |          |   |   |                |          |   |  |  |
| 40. - Checking account                 | A | Interest | L | T |                |          |   |  |  |
| 41. - Savings account                  | A | Interest | K | T |                |          |   |  |  |

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

### Part VII (H)

- Fidelity Investments: FID Freedom K 2040 and Fid Freedom 2040 K (mutual funds) were held through Miller Nash Graham & Dunn LLP Profit Sharing Trust.
- Standard Insurance (H)
  - Dodge & Cox Balanced and Vanguard STAR Inv (mutual funds) are and were held through Miller Nash Graham & Dunn LLP 401(k) Plan and Trust.
  - T.Rowe Price Retire I 2040 I (mutual fund) is held through Miller Nash Graham & Dunn LLP Profit Sharing Trust.

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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/ **David W. Hercher**

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  
Suite 2-301  
One Columbus Circle, N.E.  
Washington, D.C. 20544