

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2009

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) Fitzwater, Sidney A.	2. Court or Organization U.S. District Court, N.D. Tex.	3. Date of Report 04/28/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Chief U.S. District Judge - Active	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2009 to 12/31/2009
7. Chambers or Office Address U.S. Courthouse 1100 Commerce St., Rm. 1528 Dallas, Texas 75242-1035	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. Reviewing Officer _____ Date _____	
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. Sign on last page.		

I. POSITIONS. (Reporting individual only; see pp. 9-13 of filing instructions.)

☐ NONE (No reportable positions.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. Co-Trustee	Trust # 3 (See Part VIII).
2.	
3.	
4.	
5.	

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

☒ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

1.	
2.	
3.	

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Fitzwater, Sidney A.

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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.		
2.		
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. 2009	- 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. The Freedom Forum, Arlington, VA (First Amendment Center, Inc., Nashville, TN)	February 19-21, 2009	Nashville, TN	Judge moot court	Airfare, hotel, transportation, and food
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-I)	(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-I)	(5) Identity of buyer/seller (if private transaction)
1. Washington Mutual Investors Fund (1984 IRA-Mutual Fund)	A	Dividend	J	T					
2. UBS Bank USA Deposit Acct.	A	Interest	J	T					
3. 3M Corp. Common Stock	A	Dividend	J	T					
4. J.P. Morgan Chase & Co. Common Stock	A	Dividend	J	T					
5. Trust # 2 (Nos. 5-9) (See Part VIII)	D	Dividend	M	T					
6. -UBS Resource Mgmt. Acct (Money Market Portfolio)									
7. -Calamos Growth Fund									
8. -Lord Abbett Affiliated Fund									
9. -UBS Global Allocation Fund									
10. Calamos Growth and Income Fund	A	Dividend	J	T					
11. Lord Abbett Affiliated Fund	A	Dividend	J	T					
12. Lord Abbett Fundamental Equity (See Part VIII)		None	J	T					
13. MFS Research Bond Fund	A	Dividend	J	T					
14. UBS Global Allocation Fund	B	Dividend	J	T					
15. Jefferson-Pilot Life Ins. Co. Flex. Prem. Survivor Life	B	Interest	K	T					
16. Trust # 3 (Nos. 16-65) (See Part VIII)	F	Int./Div.	P1	T					
17. -Dominion Investor Servs., Inc. Prime Fund(Money Mkt. Acct)									

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

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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)
18. -Aberdeen Asia-Pacific Prime Income Fund									
19. -ADC Telecommunications Inc. Common Stock									
20. -Ameren Corporation Common Stock									
21. -Consolidated Edison, Inc. Common Stock									
22. -Dominion Resources, Inc. Common Stock									
23. -Dreyfus Strategic Municipals Inc. (Income Trust Fund)									
24. -Duke Energy Corp. Common Stock									
25. -Entergy Corp. Common Stock									
26. -Exelon Corp. Common Stock									
27. -ExxonMobil Corp. Common Stock									
28. -Firstenergy Corp. Common Stock									
29. -FPL Group Inc. Common Stock									
30. -Hawaiian Electric Industries Inc. Common Stock									
31. -Integrus Energy Group Inc. Common (fna WPS Resources Corp)									
32. -Medco Health Solutions Inc. Common Stock									
33. -Merck & Co. Inc. Common Stock									
34. -Monsanto Co. New Common Stock									

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2. Value Codes (See Columns C1 and D3)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	
3. Value Method Codes (See Column C2)					

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35. -Nuveen Dividend Advantage Municipal Fund									
36. -Nuveen Dividend Advantage Municipal Fund 2									
37. -Nuveen Dividend Advantage Municipal Fund 3									
38. -Nuveen Insured Premium Inc. Mun. Fund 2 Inc. (See Pt VIII)									
39. -Nuveen Municipal Advantage Fund Inc.									
40. -Nuveen Municipal Value Fund Inc.									
41. -Nuveen Premium Inc. Mun. Fund Inc. (See Pt. VIII)									
42. -Nuveen Premium Inc. Mun. Fund 2 Inc. (See Pt. VIII)									
43. -Nuveen Premier Insured Municipal Income Fund Inc.									
44. -Nuveen Select Maturities Municipal Fund									
45. -Pepco Holdings Inc. Common Stock									
46. -Pepsico, Inc. Common Stock									
47. -Pfizer Inc. Common Stock									
48. -Puget Energy Inc. Common Stock (See Part VIII)					Sold	02/09/09	J	A	
49. -Spectra Energy Corp. Common Stock									
50. -TECO Energy Inc. Common Stock									
51. -Van Kampen Trust for Insured Municipals									

1. Income Gain Codes:

(See Columns B1 and D4)

2. Value Codes

(See Columns C1 and D3)

3. Value Method Codes

(See Column C2)

A = \$1,000 or less

F = \$50,001 - \$100,000

J = \$15,000 or less

N = \$250,001 - \$500,000

P3 = \$25,000,001 - \$50,000,000

Q = Appraisal

U = Book Value

B = \$1,001 - \$2,500

G = \$100,001 - \$1,000,000

K = \$15,001 - \$50,000

O = \$500,001 - \$1,000,000

R = Cost (Real Estate Only)

V = Other

C = \$2,501 - \$5,000

H1 = \$1,000,001 - \$5,000,000

L = \$50,001 - \$100,000

P1 = \$1,000,001 - \$5,000,000

P4 = More than \$50,000,000

S = Assessment

W = Estimated

D = \$5,001 - \$15,000

H2 = More than \$5,000,000

M = \$100,001 - \$250,000

P2 = \$5,000,001 - \$25,000,000

T = Cash Market

E = \$15,001 - \$50,000

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52. -Westar Energy Inc. Common Stock									
53. -Xcel Energy Inc. Common Stock									
54. -Insured Municipals Income Trust Series 22									
55. -Insured Municipals Income Trust Series 228									
56. -Insured Municipals Income Trust Series 314									
57. -Insured Municipals Income Trust Series 79									
58. -Nuveen Tax Exempt Nat'l Insured 251 (UIT) (See Part VIII)									
59. -Nuveen Tax Exempt Nat'l Trad. 257 (UIT)									
60. -Unit Insured Municipal Inc. Series 77									
61. -Insured Municipals Inc. Trust Unit Ser. 290									
62. -Nuveen Investment Quality Municipal Fund, Inc.									
63. -International Bank of Commerce (money mkt)									
64. -First Mark Credit Union (CD)									
65. -USAA Tax Exempt Long-Term Bond Fund									

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2. Value Codes (See Columns C1 and D3)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	
3. Value Method Codes (See Column C2)					

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

Part I

I am ethically permitted to serve as Co-Trustee of Trust # 3 because I am doing so under the will of a family member who died in 2007.

The Trust is designated as Trust # 3 to differentiate it from Trust # 1 and Trust # 2, which have been referred to in this and/or prior reports.

See below for additional explanations concerning the reporting of assets for Trust # 3.

Part VII, Item Nos. 5-9 (Trust # 2)

The type of income disclosed for Trust # 2 is "Dividend." The form does not allow the filer to report multiple types of income except for the combination of interest and dividends. The Trust income includes dividends and interest earned by funds and distributed to fund owners. All income has been reported in column B(1).

Part VII, Item No. 12

This asset was reported in my 2008 Financial Disclosure Report as Lord Abbett All Value Fund. This reflects a name change for the same asset.

Part VII, Item No. 16 (Trust #3)

The type of income disclosed for Trust # 3 is "Int./Div." The form does not allow the filer to report multiple types of income except for the combination of interest and dividends. The Trust income includes other income, such as capital gains earned by funds and distributed to fund owners. All income has been reported in column B(1).

Part VII, Item Nos. 38, 41, and 42

These assets are the same as Item Nos. 38, 41, and 42 in my 2008 Financial Disclosure Report. In my 2008 report, these assets were identified by the term "Premier" rather than "Premium." "Premium" is correct. (Item no. 43 of my 2008 report correctly used the word "Premier," so Item No. 43 of this year's report again uses the term "Premier.")

Part VII, Item No. 48

The transaction reported for this asset is "Sold." In 2009 the company became privately held under the terms of a merger with a group of long term investors (Puget Holdings), and all shares were converted to a right to receive a per share cash sum.

Part VII, Item No. 58

In my 2008 Financial Disclosure Report, this asset was listed as Item No. 59, and I reported that the asset had been "Redeemed." This was an error, so the asset is being reported again in this year's report as Item No. 58. The asset that was redeemed was Item No. 61. Item No. 59 -- Nuveen Tax Exempt Nat'l Insured 251 (UIT)--and Item No. 61 -- Nuveen Tax Exempt Nat'l Trad. 251 (UIT) -- have almost identical abbreviated names. The information disclosed in column D for Item No. 59 of my 2008 Financial Disclosure Report should have been disclosed for Item No. 61. Item No. 61 of my 2008 Financial Disclosure Report is therefore omitted from this year's report because it was redeemed on 4/15/2008. This error has not affected the reporting of the Trust's income or value in either affected year.

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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

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

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