

# FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2010

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

|                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                           |                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| <b>1. Person Reporting (last name, first, middle initial)</b><br>Fenner, Gary A.                                                                                                                       | <b>2. Court or Organization</b><br>Western District of Missouri                                                                                                                                                                                                                           | <b>3. Date of Report</b><br>04/18/2011                       |
| <b>4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)</b><br>United States District Judge                                                   | <b>5a. Report Type (check appropriate type)</b><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 type="checkbox"/> Amended Report | <b>6. Reporting Period</b><br>01/01/2010<br>to<br>12/31/2010 |
| <b>7. Chambers or Office Address</b><br>400 East Ninth Street<br>Suite 8452<br>Kansas City, MO 64106                                                                                                   | <b>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.</b><br><br>Reviewing Officer _____ Date _____                                                          |                                                              |
| <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. Sign on last page. |                                                                                                                                                                                                                                                                                           |                                                              |

## 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. _____        | _____                              |
| 3. _____        | _____                              |
| 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. 2010     | Retirement benefits from the State of Missouri. I have no control in regard to this agreement. |
| 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. 2010     | State of Missouri retirement | \$55,527.84                            |
| 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. 2010     | State of Missouri - salary [REDACTED] as Circuit Judge |
| 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. Herzog Contracting Corp. | transportation and lodging on fishing trip to Ontario, Canada | \$2,000.00   |
| 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.<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. Level 3 Communications                                                                                                   |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 2. Bank of America accounts                                                                                                 | B                                       | Interest                                      | M                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 3. Capital One NA                                                                                                           | A                                       | Interest                                      | L                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 4. J.P. Morgan Chase f/k/a Bank One Corp. Common Stock                                                                      | A                                       | Dividend                                      | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 5. Bank Amerca Corp. Common Stock                                                                                           | A                                       | Dividend                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 6. Tronex, Inc.                                                                                                             | A                                       | Dividend                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 7. Lord Abbett & Co. Affiliated Fund (Mutual)                                                                               | A                                       | Dividend                                      | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 8. Mattel, Inc. Common Stock                                                                                                | A                                       | Dividend                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 9. New Economy Fund (Mutual Fund)                                                                                           | A                                       | Dividend                                      | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 10. Sunoco Common Stock                                                                                                     | A                                       | Dividend                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 11. American Century Fund                                                                                                   |                                         | None                                          | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 12. AMCAP Fund (Mutual Fund)                                                                                                |                                         | None                                          | L                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 13. Europacific Growth Fund (Mutual Fund)                                                                                   |                                         | None                                          | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 14. Investment Co. of America (Mutual Fund)                                                                                 |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 15. New Perspective Fund (Mutual Fund)                                                                                      |                                         | None                                          | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 16. Amazon Com, Inc. Common Stock                                                                                           |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 17. Ford Motor Co. Common Stock                                                                                             |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |

|                                                  |                                                                                       |                                                        |                                                                                           |                                                              |                         |
|--------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------|
| 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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☐ 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. Citibank, Inc. Common Stock                                                                                             |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 19. Pfizer, Inc. Common Stock                                                                                               | A                                       | Dividend                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 20. Waddell & Reed Advisors Science and Technology (Mutual Fund)                                                            | A                                       | Dividend                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 21. Waddell & Reed Advisors Bond C (Mutual Fund)                                                                            | A                                       | Dividend                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 22. Waddell & Reed Advisors (Mutual Fund)                                                                                   | A                                       | Dividend                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 23. Bank Midwest Accounts                                                                                                   | B                                       | Interest                                      |                                                 |                                           | Redeemed                                        | 02/13/10                | K                               |                                |                                                                   |
| 24. Mass Mutual Financial Group Permanent Life Policy                                                                       |                                         | None                                          | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 25. AXA Equitable Permanent Life Policy                                                                                     |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 26. Community America Credit Union                                                                                          | A                                       | Interest                                      | M                                               | T                                         | Buy                                             | 07/16/10                | M                               |                                |                                                                   |

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

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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/ Gary A. Fenner

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)

Committee on Financial Disclosure  
Administrative Office of the United States Courts  
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