

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

1000 S.W. THIRD AVENUE, SUITE 1507
PORTLAND, OREGON 97204-2902

CHAMBERS OF
JUDGE MALCOLM F. MARSH

Chambers: (503) 326-8360
facsimile: (503) 326-8369

July 18, 2006

RECEIVED
2006 JUL 24 A 10:59
FINANCIAL
DISCLOSURE OFFICE

Committee on Financial Disclosure
Attn: Ortrise D. Smith, Chair
Administrative Office of the
United States Courts
Suite 2-301
One Columbus Circle, N. E.
Washington, D. C. 20544

Re: 2005 Financial Disclosure Report - Amendment

Dear Committee Members:

Thank you for your letter of July 13, 2006 regarding Part I,
line 1 of my report. The name of the condominium association is
[REDACTED] Condominium Association. [REDACTED]

[REDACTED] My term as a board member ended in June, 2006.

Very truly yours,

[REDACTED]
Malcolm F. Marsh
United States District Judge

MFM:cka

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2005

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) MARSH, MALCOLM F	2. Court or Organization U.S. DISTRICT COURT, OREGON	3. Date of Report 05/10/2006
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. DIST. JUDGE, SR. STATUS	5a. Report Type (check appropriate type) ☐ Nomination, Date ☐ Initial ☒ Annual ☐ Final	6. Reporting Period 01/01/2005 to 12/31/2005
7. Chambers or Office Address 1000 S. W. THIRD AVENUE SUITE 1507 PORTLAND, OR 97204	5b. ☐ Amended Report	
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 instructions.)

☐ NONE (No reportable positions.)

POSITION

NAME OF ORGANIZATION/ENTITY

1. BOARD MEMBER

RESIDENCE CONDOMINIUM ASSOCIATION

2.

3.

4.

5.

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

☐ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

1. 12/68

VESTED INTEREST IN FORMER LAW FIRM, CLARK, LINDAUER PLAN, PIONEER TRUST BANK, N.A.,
SALEM, OR SEE VII, P. 8, LINE 73

2.

3.

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MAY 16 10 16 AM '06
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PORTLAND, OREGON

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III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of 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.		
5.		

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.	
2.	
3.	
4.	
5.	

IV. REIMBURSEMENTS -- *transportation, lodging, food, entertainment.**(Includes those to spouse and dependent children. See pp. 25-27 of instructions.)*☒ NONE *(No reportable reimbursements.)*

<u>SOURCE</u>	<u>DESCRIPTION</u>
1.	
2.	
3.	
4.	
5.	

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V. GIFTS. *(Includes those to spouse and dependent children. See pp. 28-31 of 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. 32-34 of 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 the spouse and dependent children. See pp. 34-57 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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. 1/4 Interest in Clark, et al, Salem, OR Rental, App. 1992	D	Rent	M	Q					
2. SMITH BARNEY FINANCIAL MANAGEMENT ACCOUNT									
3. Smith Barney Municipal Money Market Fund Mutual Fund	A	Interest	J	T					
4. MUNICIPAL BONDS									
5. Lane County Ore Sch Dist 4J, Due 7/1/2018	A	Interest	K	T	Buy	02/07	K		
6. Deschutes & Jefferson Cntys SD #02J, Due 6/15/2024	A	Interest	K	T	Buy	05/09	K		
7.	A	Interest			Sell	12/27	K	A	
8. Forest Grove Ore Rev Rfdg & Campus, Due 5/1/2036	A	Interest	K	T	Buy	08/10	K		
9. Oregon St. Bd Bk Rev Ore Eco Comm Dev Dept, 01/01/2025	A	Interest	J	T					
10. Umatilla Co. Ore. Hosp., 12-01-2030	B	Interest	K	T					
11. Salem-Keizer Ore. S.D., 6-1-09, orig. maturity 06/01/2013	A	Interest	J	T					
12. Ore St. Health HSF Edl & Cultural, 11-15-2032	A	Interest	K	T					
13. Portland OR Housing Auth Rev Rfdg-Pooled 01/01/2027	A	Interest	J	T					
14. Clack Cnty Ore Sch Dist (Lk Osw), 06/01/2026	B	Interest	K	T					
15. OHSU Rev Ser A MSF MBIA, 07/01/2032	A	Interest	K	T					
16. Ore. St. Elderly & Disabled Hsg Serv 08/01/2022	B	Interest			Sale	06/03	K	A	
17. Corvallis Sch Dist 509J, Due 06/01/2018									*See att'd explanation

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	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 (See Column C2)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated	T = Cash Market	

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VII. INVESTMENTS and TRUSTS -- income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. Ore. St. Dept. Admin Svcs, due 05/01/2028	A	Interest	J	T					** See att'd explanation
19. Washington & Clackamas Cnty SD#23, Due 06/15/2020	B	Interest	K	T					
20. OR St Vets Welfare, Ser. B, Due 10/01/2042	B	Interest	K	T	Partial call	04/01	J	A	
21. Douglas Cnty SD #4, Due 12/15/2020	A	Interest			Sale	02/07	K	B	
22. OR St. Bd Higher Ed G/O, Due 08/01/2028	B	Interest	K	T					
23. Portland City OR Ltd/Tax Conv. Ctr, Ser. A, Due 06/01/2030	B	Interest	K	T					
24. OR St Dept Transn Hwy User Tax Rev, Due 11/15/2028	B	Interest	K	T					
25. Umatilla Co OR Hsp Fax Au Rev Cath, Due 5/1/2034	A	Interest	K	T					
26. Salem OR Wtr & Sewer Rev Rfdg, Due 5/1/2020	B	Interest			Sale	12/27	K	A	
27. MUTUAL FUNDS									
28. Pimco Real Return Fund Mutual Fund	A	Interest	J	T	Partial Sale	01/06	J	A	
29.	A	Interest	K	T	Paart Sale	05/09	K	A	
30.	A	Interest			Sale	08/10	K	A	
31. SMITH BARNEY FINANCIAL MANAGEMENT ACCOUNT									
32. Citibank NA Bank Deposit Program	A	Interest	J	T					
33. MUNICIPAL BONDS									
34. Lane County Ore Sch Dist 4J, Due 7/1/2018	A	Interest	J	T	Buy	02/07	J		

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 the spouse and dependent children. See pp. 34-57 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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
35. Deschutes & Jefferson Cnty SD #02J, Due 6/15/2024	A	Interest	K	T	Buy	05/09	K		
36.	A	Interest			Sale	12/27	K	A	
37. Ore. St. Hsg & Cmnty Svcs Dept, Due 1/1/2023	A	Interest	J	T	Buy	10/31	J		
38. Salem, Ore Water & Sewer, Due 5/1/2020 (purch in '04)	A	Interest	J	T	Buy	09/28	K		*** See att'd explanation
39.					Sell	12/21	K	A	
40. Forest Grove Ore Ref Rfdg & Campus, 05/01/2036	A	Interest	K	T	Buy	08/10	K		
41. Portland OR Central City Street, 04/01/2018	A	Interest			Sale	06/03	K	A	
42. Portland ORE Sewer System Rev, 06/01/2018	A	Interest			Sale	01/03	K	A	
43. Medford ORE Hosp Facs Auth Rev, 08/15/2028	A	Interest	K	T					
44. Oregon St. Dept of Administ. Services (MBIA), 11/1/2016	A	Interest			Full Call	11/01	J	A	
45. ORE St. Hlth HSF Edl & Cultural 11/15/2032	A	Interest	K	T					
46. Wash, Mult & Yamhill Cos Ore S/D 06/01/2018	A	Interest			Sale	01/3	K	A	
47. Ptlld Or Hsg Auth Rev RFDG 01/01/2027	A	Interest	J	T					
48. Wash Cnty Ore Sch Dist (Forest Grove) 06/15/2021	A	Interest	J	T					
49. Clack Cnty Ore Sch Dist (Lk Osw), 06/01/2026	C	Interest	L	T					
50. Ore. St. Elderly & Disabled Hsg Ser, 08/01/2022	A	Interest			Sale	01/03	K	A	
51. OHSU Rev Ser. A. MSF, MBIA, 07/01/2032	A	Interest	J	T					

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	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 (See Column C2)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated	T = Cash Market	

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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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
52. Ore St Brd Higher Ed Baccalaureate, 08/01/2017	A	Interest			Sale	12/27	J	A	
53. Douglas County S.D. #4, Due 12/15/2020	A	Interest			Sale	02/07	J	A	
54. Ore. St. Veterans Welfare Service, Due 10/01/2042	A	Interest	K	T					
55. Washington/Clackamas Cnty S.D. 23 Tigard, Due 6/15/2020	B	Interest	K	T					
56. Clackamas Cnty OR full faith & cred obligs, due 6/1/2033	A	Interest			Sale	01/03	J	A	
57. Bend OR full faith & credit obligs, due 12/1/2022	B	Interest	K	T					
58. Deschutes Cnty, OR, Hosp Facs, due 1/1/2022	C	Interest	L	T					
59. Oregon St Dept Admin Svcs (OID), due 5/1/2028	A	Interest			Sale	06/03	K	A	
60. OR St Bd Higher Ed G/O Ser. B Due 8/1/2028	B	Interest	K	T					
61. Portland City OR Ltd. Tax Conv. Ctr Ser A, Due 6-1-2030	B	Interest	K	T					
62. Umatilla Co. OR Hsp Fac Au Rev Cath Due 5/1/2034	A	Interest	K	T					
63. OR St Dept Transn Hwy User, Due 11-15-2028	B	Interest	K	T					
64. MUTUAL FUNDS									
65.									
66. Pimco Real Return Fund, Cl. B	A	Interest	K	T	Part Sale	05/09	K	A	
67.	A	Interest			Sale	08/10	K	A	
68. Delaware Tax Free Oregon Insured Fund B	C	Interest	M	T					

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 the spouse and dependent children. See pp. 34-57 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 (I-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g. buy, sell, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
69. Key Bank Private Bank	A	Interest	K	T					
70. U.S. Bank Checking Acct	A	Interest	J	T					
71. Key Bank Money Market Acct	A	Interest	K	T	Transferred	02/02	K		****See att'd explanation
72. U.S. Bank Money Market Acct	A	Interest	L	T					
73. 15% of Clark, Lindauer, et al., 401K PS Plan	F	Int & Div	O	T	Distrib.	1/10	K	A	Partial - annual w/draw profit sharing;
74.									No management of investments
75.									investments
76. Pioneer Trust Bank (Distrib from Clark, Lindauer--above)	A	Interest	K	T	Distrib.	4/8	K	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

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
(See Column C2)

P3 = \$25,000,001 - \$50,000,000
Q = Appraisal
U = Book Value

R = Cost (Real Estate Only)
V = Other

P4 = More than \$50,000,000
S = Assessment
W = Estimated

T = Cash Market

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

The 12-29-04 sale was a full sale, not a partial sale, as listed on the 2004 FDR

****Ore. Dept. of Administrative Services**

The 12-29-04 sale was a partial sale, not a full sale, as listed on the 2004 FDR

*****Salem, Ore Water & Sewer**

The bonds were purchased on 9-28-04, but inadvertently omitted from the 2004 FDR

******The Key Bank Money Market Account was transferred into Key Bank Private Bank**

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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.

Sig

Date

May 10, 2006

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