

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) Hartz, Harris L.	2. Court or Organization Tenth Circuit Court of Appeals	3. Date of Report 05/08/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Circuit Judge Active	5a. Report Type (check appropriate type) ☐ Nomination, Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2009 to 12/31/2009
7. Chambers or Office Address 201 Third St. NW, #1870 Albuquerque, NM 87102	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.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Trustee	Trust No. 1
2. Member, Board of Directors	Searle Civil Justice Institute
3.	
4.	
5.	

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U.S. DISTRICT COURT

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. 9/30/1999	My judicial pension from the State of New Mexico has vested and will be distributed when I am age-eligible
2.	
3.	

Hartz, Harris L.

FINANCIAL DISCLOSURE REPORT
Page 2 of 10

Name of Person Reporting
Hartz, Harris L.

Date of Report
05/08/2010

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.	
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.	Vanderbilt Univ.	2/5-7	Nashville, TN	Moot Court	transportation, lodging, food
2.	Northwestern University	4/28-29, 10/20-22	Chicago, IL	Searle Center board mtg	transportation, lodging, food
3.	San Juan College	5/7-9	Farmington, New Mexico	Commencement speech	transportation, lodging, food
4.	ABA	5/28-31	Chicago, Illinois	Appellate practice Inst.	Transportation, lodging, food
5.	Florida State University	8/25-28	Tallahassee, Florida	Jurist in residence	Transportation, lodging, food
6.	Duke Law school	9/19-21	Durham, North Carolina	Workshop on evaluating judges	Transportation, lodging, food

FINANCIAL DISCLOSURE REPORT
Page 3 of 10

Name of Person Reporting
Hartz, Harris L.

Date of Report
05/08/2010

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. _____	_____	_____

FINANCIAL DISCLOSURE REPORT

Page 4 of 10

Name of Person Reporting
Hartz, Harris L.

Date of Report
05/08/2010

VII. INVESTMENTS and TRUSTS — income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

☐ NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets) Place "X" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Trust 1	G	Dividend	O	T					
2. --BRKA									
3. --BRKB									
4. --OIB									
5. --NUV									
6. --PNW									
7. --SO									
8. --COP									
9. --TWCUX									
10. --LCEIX									
11. --JANSX									
12. --NGUAX									
13. --NPRTX									
14. --AMOAX									
15. --GLBAX									
16. --TGRAX									
17. --USGBX									

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	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	D = \$5,001 - \$15,000 H2 = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	E = \$15,001 - \$50,000
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)					

FINANCIAL DISCLOSURE REPORT
Page 5 of 10

Name of Person Reporting
Hartz, Harris L.

Date of Report
05/08/2010

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☐ 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/yyyy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-I)	(5) Identity of buyer/seller (if private transaction)
18. --DINAX									
19. --Morgan Stanley Bank Acct									
20. --San Juan County, NM, real estate									
21. Parcel 1 Unimproved real estate in San Juan County, NM	B	Rent	M	W					
22. EUGBX	A	Dividend	J	T					
23. GLBAX	A	Dividend	J	T					
24. UTIQX	A	Dividend	J	T					
25. BRKB		None	M	T					
26. OIA	A	Dividend	J	T					
27. Wells Fargo Bank Account	A	Interest	L	T					
28. State of Israel Bonds	A	Interest	J	T					
29. US Savings Bonds	B	Interest	L	T					
30. Tennis Club of Albuquerque debenture	A	Interest	J	T					
31. 403B account	B	Dividend	J	T					
32. --PGRWX									
33. State Retirement Account	C	Interest	L	T					
34. Individual Retirement Annuity	D	Dividend	N	T					

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FINANCIAL DISCLOSURE REPORT

Page 6 of 10

Name of Person Reporting

Hartz, Harris L.

Date of Report

05/08/2010

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35. --ING Fixed Account									
36. --ING Balanced VP									
37. IRA Account *	E	Dividend	M	T					
38. --Gov't Nat'l Mgt Ass'n Pool									
39. --US Treasury Bond									
40. --AMODX					Sold (part)	04/17/09	J	A	
41. --"					Buy (add'l)	12/14/09	J		
42. --GLBAX									
43. --MSACX					Sold (part)	01/16/09	J	A	
44. --"					Sold (part)	07/17/09	J	A	
45. --"					Sold (part)	10/17/09	J	A	
46. --"					Buy (add'l)	12/14/09	J		
47. --MSSGX					Buy (add'l)	12/14/09	J		
48. --MPEGX					Buy (add'l)	12/14/09	J		
49. --MPSCX					Buy (add'l)	12/14/09	J		
50. --MDFDX					Buy (add'l)	10/16/09	J		
51. --"					Buy (add'l)	12/14/09	J		

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2. Value Codes (See Columns C1 and I3)	J = \$15,000 or less N = \$250,001 - \$500,000 P3 = \$25,000,001 - \$50,000,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000 P4 = More than \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	
3. Value Method Codes (See Column C2)	Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	S = Assessment W = Estimated	T = Cash Market	

FINANCIAL DISCLOSURE REPORT

Page 7 of 10

Name of Person Reporting

Hartz, Harris L.

Date of Report

05/08/2010

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52. --MS Spectrum Select									
53. --MS Spectrum Tech									
54. --MS Spectrum Currency									
55. --Morgan Stanley Bank Acct									
56. --Morgan Stanley CPI/Commodity note									
57. --ACSDX					Buy (add'l)	12/14/09	J		
58. Annuity	B	Interest	J	T					
59. --ING VP Inter Bond Portfolio									
60. Allstate Life Ins. Co. annuity	A	Interest	K	T					
61. CM Life Ins. Policy	B	Interest	L	T					
62. MONY Life Ins. Policy	A	Dividend	K	T					
63. Security Connecticut Life Ins. Policy #1	A	Interest	K	T					
64. Security Connecticut Life Ins. Policy #2	A	Interest	K	T					
65. TETSX		None	L	T					
66. EVGFX	A	Dividend	J	T					
67. OPPAX	A	Dividend	K	T					
68. SCINX	A	Dividend	K	T					

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FINANCIAL DISCLOSURE REPORT
Page 8 of 10

Name of Person Reporting	Date of Report
Hartz, Harris L.	05/08/2010

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69. AMOBX **		None	J	T					
70. DIVBX	A	Dividend	J	T					
71. Morgan Stanley Bank Acc't	A	Interest	J	T					

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FINANCIAL DISCLOSURE REPORT

Page 9 of 10

Name of Person Reporting

Hartz, Harris L.

Date of Report

05/05/2010

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

*Line 48 of report for 2008: The MSDW liquid asset fund was incorrectly listed on the report for 2008. It was redeemed on April 16, 2008, for

**Line 69: there was a class exchange from AMOBX to AMOAX on February 27

FINANCIAL DISCLOSURE REPORT
Page 10 of 10

Name of Person Reporting
Hartz, Harris L.

Date of Report
05/08/2010

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