

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) BERZON, MARSHA S	2. Court or Organization U.S. CA. NINTH CIRCUIT	3. Date of Report 04/12/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. 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 95 SEVENTH STREET P.O. BOX 193939 SAN FRANCISCO, CA 94119-3939	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. _____
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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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	SELF-EMPLOYED ATTORNEY
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 GEORGE WASHINGTON UNIVERSITY	01/21/2009 - 01/22/2009	WASHINGTON, D.C.	EDUCATIONAL ACTIVITY	TRAVEL, LODGING, MEALS
2.	AMERICAN CONSTITUTION SOCIETY	01/22/2009 - 01/24/2009	PHILADELPHIA, PA	EDUCATIONAL ACTIVITY	TRAVEL, LODGING, MEALS
3.	YALE UNIVERSITY	02/06/2009 - 02/06/2009	NEW HAVEN, CT	CIVIC ORG. ACTIVITY	TRAVEL, LODGING, MEALS
4.	ASSOCIATION OF AMERICAN LAW SCHOOLS	06/12/2009 - 06/12/2009	LONG BEACH, CA	CIVIC ORG. ACTIVITY	TRAVEL, LODGING, MEALS
5.	AMERICAN CONSTITUTION SOCIETY	06/19/2009 - 06/21/2009	WASHINGTON, D.C.	CIVIC ORG. ACTIVITY	TRAVEL, LODGING, MEALS

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6.	WILLAMETTE UNIVERSITY	10/15/2009 - 10/16/2009	PORTLAND, OR	EDUCATIONAL ACTIVITY	TRAVEL, LODGING, MEALS
7.	CORNELL UNIVERSITY	10/27/2009 - 11/01/2009	ITHACA, NY	EDUCATIONAL ACTIVITY	TRAVEL, LODGING, MEALS

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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. BANK OF AMERICA ACCOUNT	A	Interest	M	T					
2. CITIBANK CD	D	Interest	N	T	Open	07/14/09	N		
3. PACIFIC NATIONAL, A DIVISION OF US BANK CD	C	Interest	N	T	Open	07/14/09	N		
4. MERRILL LYNCH BANK & TRUST C/O FIRST REPUBLIC BANK CD	C	Interest	N	T	Open	07/07/09	N		
5. COCA COLA COMPANY - COMMON STOCK	B	Dividend	K	T					
6. COMCAST CORP NEW CL A - COMMON STOCK	A	Dividend	J	T					
7. CORNING INC - COMMON STOCK	B	Dividend	M	T					
8. LSI CORPORATION - COMMON STOCK		None	J	T					
9. NSTAR - COMMON STOCK	A	Dividend	J	T					
10. PEPSICO INCORPORATED - COMMON STOCK	A	Dividend	K	T					
11. PUB SVC ENT GROUP INC - COMMON STOCK	A	Dividend	J	T					
12. SOURCE INTERLINK COMPANY - COMMON STOCK *2		None			Closed	09/03/09	J		
13. VERIZON COMMUNICATIONS - COMMON STOCK	A	Dividend	J	T					
14. VODAFONE GROUP NEW ADR F	A	Dividend	J	T					
15. DREYFUS ACTIVE MIDCAP FD (FRMLY PREMIER NEW LEADERS FUND)	A	Dividend	M	T					
16. DREYFUS APPRECIATION FD	A	Dividend	K	T					
17. DREYFUS EMERGING LEADERS FUND	A	Dividend	K	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 P1 = \$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)					

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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	(2) Type (e.g., div., rent, or int.)	(1) Value	(2) Method	(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)
	Code 1 (A-H)		Code 2 (J-P)	Code 3 (Q-W)					
18. EMBARCADERO ALL CAP GROWTH FD		None	K	T					
19. EMBARCADERO SMALL CAP GROWTH FD		None	J	T					
20. RS MID CAP OPPORTUNITIES FUND		None	N	T					
21. SCHWAB PREMIER EQUITY SELECT SHARES	A	Dividend	L	T					
22. SCH CA MUNI MONEY FD (SWEEP)	A	Dividend	L	T					
23. SCHWAB CA MUNI MONEY FD (NON-SWEEP)	A	Dividend	L	T					
24. FIDELITY CA AMT TAX FREE MMKT INST CLASS	D	Interest	P1	T					
25. PSP#1 [] ACCOUNT)	B	Dividend	M	T					
26. -AIM CAPITAL DEVELOPMENT FUND-CLASS A									
27. -AIM INTERNATIONAL SMALL CO FD -CL A									
28. -AIM GLOBAL EQUITY FUND - CLASS A									
29. -AIM MULTI-SECTOR FUND - CLASS A									
30. IRA#1 [] ACCOUNT)	C	Dividend	M	T					
31. -AMCAP FUND - CLASS A									
32. -WASHINGTON MUTUAL INVESTORS FUND - CLASS A									
33. PSRP#1 [] ACCOUNT)	D	Dividend	N	T					
34. -AMERICAN FUNDS - EUROPACIFIC GROWTH FUND - CL 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

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

2. Value Codes
(See Columns C1 and D3)

J = \$15,001 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 \$50,000,000

H2 = 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

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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.)

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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, 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)
35. -AMERICAN FUNDS - THE GROWTH FUND OF AMERICA - CL A"									
36. -AMERICAN FUNDS - THE NEW ECONOMY FUND - CL A"									
37. -AMERICAN FUNDS - NEW PERSPECTIVE FUND - CL A"									
38. -AMERICAN FUNDS - CAPITAL WORLD GROWTH AND INCOME FUND - CL									
39. -AMERICAN FUNDS - FUNDAMENTAL INVESTORS - CL A"									
40. -AMERICAN FUNDS - THE INVESTMENT COMPANY OF AMERICA - CL A"									
41. -AMERICAN FUNDS - WASHINGTON MUTUAL INVESTORS FUND - CL A"									
42. -AMERICAN FUNDS - THE INCOME FUND OF AMERICA - CL A"									
43. -AMERICAN FUNDS - AMERICAN BALANCED FUND - CL A"									
44. -AMERICAN FUNDS - AMERICAN FUNDS MONEY MARKET FUND-A					Buy	06/09/09	K		
45. -VANGUARD - 500 INDEX FUND									
46. -VANGUARD EMERGING MARKETS STOCK INDEX FUND									
47. IRA#2	E	Dividend	O	T					
48. -AMERICAN FUNDS - EUROPACIFIC GROWTH FUND - CL A									
49. -AMERICAN FUNDS - THE GROWTH FUND OF AMERICA - CL A									
50. -AMERICAN FUNDS - NEW PERSPECTIVE FUND - CL A									
51. -AMERICAN FUNDS - CAPITAL WORLD GROWTH AND INCOME									

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

P1 = \$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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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)
FUND-CL A									
52. -AMERICAN FUNDS - FUNDAMENTAL INVESTORS - CL A									
53. -AMERICAN FUNDS - THE INVESTMENT COMPANY OF AMERICA - CL A									
54. -AMERICAN FUNDS - CAPITAL INCOME BUILDER - A									
55. -AMERICAN FUNDS - THE INCOME FUND OF AMERICA - CL A									
56. -AMERICAN FUNDS - AMERICAN BALANCED - CL A									
57. AMERICAN FUNDS CAPITAL ACCOUNT IN LAW FIRM PARTNERSHIP *1	D	Interest	J	U					

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

H = \$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.)*

*1 THE EARNINGS REPORTED IN PART VII REPRESENT THE ☐ DISTRIBUTIVE SHARE OF PARTNERSHIP INTEREST INCOME

*2 COMPANY BANKRUPT

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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