

AO-10
Rev. 1/2004

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2004

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

1. Person Reporting (Last name, First name, Middle initial) Graber, Susan P	2. Court or Organization U.S. Court of Appeals/9th Cir.	3. Date of Report 5/2/2005
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. Circuit Judge-Active	5. Report Type (check appropriate type) ☐ Nominating Date ☐ Initial ☒ Annual ☐ Final	6. Reporting Period 1/1/2004 to 12/31/2004
7. Chambers or Office Address The Pioneer Courthouse 555 SW Yamhill St. Portland OR 97204	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. Trustee	Trust #1

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

☐ NONE - (No reportable agreements.)

DATE	PARTIES AND TERMS
1. 1983	Oregon Public Employee's Retirement Systems (PERS) with former employer when I was a state court judge (statutorily defined benefits; no control)

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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.)

DATE

SOURCE AND TYPE

GROSS INCOME

(Gross, not net)

1.

B. Spouse's Non-Investment Income (If you were married during any portion of the reporting year, please complete this section. Dollar amount not required except for business.)

☐ NONE - (No reportable non-investment income.)

DATE

SOURCE AND TYPE

1.

2004

Portland General (deferred & retirement income)

IV. REIMBURSEMENTS - (transportation, lodging, food, entertainment)

(Includes those to spouse and dependent children. See pp. 25-27 of instructions.)

☐ NONE - (No such reportable reimbursements.)

SOURCE

DESCRIPTION

1.

Southern Methodist Univ. Law School

11/11/04 - 11/13/04 Dallas, Texas Educational seminar - covered travel, meals & room

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V. GIFTS. (Includes those to spouse and dependent children. See pp. 28-31 of instructions.)

☒ NONE - (No such reportable gifts.)

SOURCE

DESCRIPTION

VALUE

1.

VI. LIABILITIES. (Includes those of spouse and dependent children. See pp. 32-34 of instructions.)

☒ NONE - (No reportable liabilities.)

CREDITOR

DESCRIPTION

VALUE CODE

1.

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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.)

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 (A-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)
☐ NONE (No reportable income, assets, or transactions)									
1. Charles Schwab Money Market Fund #1	A	Dividend	K	T					See comments in Part VIII
2. Charles Schwab Money Market Fund #2	A	Dividend	J	T					See comments in Part VIII
3. Charles Schwab Money Market Fund #3	A	Dividend	K	T					See comments in Part VIII
4. Oregon Savings Growth Plan		None	K	T					
5. PERS account (See description in Part II (1) above)		None	M	T					
6. Family Farm LLC	D	Distribution	M	Q					Appraisal date was 5/26/04
7. IRA #1	D	Dividend							Reported in aggregate
8. --Vanguard Short-Term Bond Index					Sell part	01/09	L		Gain not reported to us
9. --Vanguard Short-Term Bond Index			L	T					
10. --Fidelity Intermediate Bond Fund					Sell	05/11	N		Gain not reported to us
11. --Fidelity Intermediate Bond Fund					Buy	11/15	M		
12. --Fidelity Intermediate Bond Fund			M	T					
13. --Vanguard Index 500					Buy	11/12	K		
14. --Vanguard Index 500			M	T					
15. --Vanguard Mid Cap Index Fund					Buy	01/09	L		
16. --Vanguard Mid Cap Index Fund					Buy	11/12	K		
17. --Vanguard Mid Cap Index Fund			M	T					
18. --Vanguard Small Cap Growth					Buy	11/12	L		

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

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Name of Person Reporting
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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.)

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)
19. —Vanguard Small Cap Growth			L	T					
20. IRA # 2	E	Dividend							Dividends aggregated
21. — Charles Schwab Value Advantage Money Market Fund					Buy	05/11	N		
22. Charles Schwab Value Advantage Money Fund					Sell	11/08	N		Gain not reported to us
23. —Vanguard Short-Term Bond Index Fund					Sell part	01/23	M		Gain not reported to us
24. — Vanguard Short-Term Bond Index Fund			M	T					
25. —Enron common stock			J	T					
26. — Schwab Money Market			J	T					
27. — Vanguard Intermediate Corporate Bond Fund					Sell	05/10	K		Gain not reported to us
28. — Vanguard Mid Cap Index Fund					Buy	11/8	L		
29. — Vanguard Mid Cap Index Fund			N	T					
30. —Vanguard Index 500					Sell part	03/16	M		Gain not reported to us
31. — Vanguard Index 500					Buy	11/08	K		
32. — Vanguard Index 500			N	T					
33. —Vanguard Intermediate Bond Fund					Buy	01/26	M		
34. —Vanguard Intermediate Bond Fund					Buy	03/17	M		
35. —Vanguard Intermediate Bond Fund					Sell part	05/10	M		Gain not reported to us
36. —Vanguard Intermediate Bond Fund					Buy	11/08	M		

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

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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.)

A. Description of Asset (including trust assets) Place "00" 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-R)	(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 beneficiary (if private transaction)
37. —Vanguard Intermediate Bond Fund			M	T					
38. IRA #3	A	Dividend							
39. —Fidelity Real Estate Investment					Sell	05/10	K		Gain not reported to us
40. —Fidelity Cash Reserves					Buy	05/11	K		
41. —Fidelity Cash Reserves					Sell	11/24	K		Gain not reported to us
42. —Spartan International Index Fund					Buy	11/24	K		
43. —Spartan International Index Fund			K	T					
44. Portland General Deferred Income	B	Interest	J	T					
45. American Century Select	A	Dividend	J	T					
46. Trust #1									
47. —Vanguard Short-Term Bond Index Fund	B	Dividend			Sell part	01/06	K		Loss
48. —Vanguard Short-Term Bond fund			L	T					
49. —Vanguard Mid Cap Index	A	Dividend	J	T					
50. —Vanguard Index 500 Fund	A	Dividend			Buy	01/07	K		
51. —Vanguard Index 500 Fund			K	T					

1 Income/Gain Codes:	A = \$1,000 or less	B = \$1,001-\$2,500	C = \$2,501-\$5,000	D = \$5,001-\$15,000	E = \$15,001-\$50,000
(See Columns B1 and D4)	F = \$50,001-\$100,000	G = \$100,001-\$1,000,000	H1 = \$1,000,001-\$5,000,000	H2 = More than \$5,000,000	
2 Value Codes:	J = \$15,000 or less	K = \$15,001-\$50,000	L = \$50,001-\$100,000	M = \$100,001-\$250,000	
(See Columns C1 and D3)	N = \$250,000-\$500,000	O = \$500,001-\$1,000,000	P1 = \$1,000,001-\$5,000,000	P2 = \$5,000,001-\$25,000,000	
	P3 = \$25,000,001-\$50,000,000		P4 = \$50,000,001-\$100,000,000		
3 Value Method Codes:	Q = Appraisal	R = Cost (Real Estate Only)	S = Assessment	T = Cash/Market	
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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS (Indicate Part of Report)

Part VII, lines 1-3: The Charles Schwab money market funds are cash-equivalent funds. For clarity of reporting, I do not distinguish between Charles Schwab's "regular" and "Value Advantage" money market funds. Each family member's fund is listed separately.

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EC 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. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature

Date

May 6, 2005

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