

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2010

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) Ebel, David M.	2. Court or Organization Tenth Circuit Court of Appeals	3. Date of Report 6/15/2011
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. Circuit Judge (senior)	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Date ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2010 to 12/31/2010
7. Chambers or Office Address Byron White U.S. Courthouse 1823 Stout Street, Room 109L Denver, CO 80257	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. Director	Historical Society for the Tenth Circuit Court of Appeals
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. 2010	Public Employees Retirement Association (PERA) -- retirement
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.)*SOURCEDESCRIPTIONVALUE

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.)*CREDITORDESCRIPTIONVALUE CODE

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-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. Fidelity Magellan Fd.	A	Dividend	J	T	Sold (part)	05/25/10	J	A	
2.					Sold (part)	08/20/10	J	A	
3. Janus Contrarian Fund D	A	Dividend	K	T	Buy	03/10/10	J		
4.					Sold (part)	08/13/10	J	A	
5.					Buy	10/19/10	J		
6. Janus Global Life Science Fd. D	A	Dividend	J	T					
7. Janus Money Market Fd. D	A	Interest	K	T	Buy	01/27/10	K		
8. " " "					Sold (part)	03/10/10	K	A	
9. " " "					Buy	08/13/10	L		
10. " " "					Sold (part)	09/17/10	J	A	
11. " " "					Sold (part)	10/19/10	K	A	
12. US Bank, Denver, Colo.	A	Interest	J	T	Buy	03/10/10	J		
13. Janus Global Select Fund D	A	Dividend	K	T	Buy	05/10/10	J		
14. " " "					Buy	05/20/10	J		
15. " " "					Sold (part)	08/13/10	K	B	
16. Fidelity Cash Reserves	A	Interest	K	T	Buy	05/25/10	K		
17. " " "					Buy	08/20/10	K		

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)					

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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)
18. " " "					Sold (part)	10/21/10	K	A	
19. Fidelity Select Energy Service Fd.	A	Dividend	J	T	Sold (part)	01/27/10	J	A	
20. " " "					Sold (part)	03/10/10	J	A	
21. " " "					Sold (part)	05/25/10	J	A	
22. EYERis Class A Common Stock	A	Dividend	J	T					
23. EYERis Class B Common Stock		None	J	T					
24. Janus Growth & Income Fd. D	A	Dividend	K	T	Sold (part)	01/27/10	J	A	
25. Fidelity U.S. Gov't Res.	A	Interest	J	T					
26. Fidelity Emerging Market Fd.	A	Interest	K	T	Sold (part)	05/25/10	J	A	
27. " " "					Sold (part)	08/20/10	J	A	
28. " " "					Buy	10/21/10	J		
29. Fidelity Value Fund	A	Dividend	K	T	Buy	10/21/10	J		
30. Fidelity Diversified Int'l Fund	A	Dividend	J	T					
31. Dodge & Cox Stock Fund	A	Dividend	K	T	Buy	03/10/10	J		
32. " " "					Buy	05/14/10	J		
33. " " "					Sold (part)	08/20/10	J	A	
34. " " "					Buy	10/21/10	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

3. Value Method Codes
(See Column C2)

Q = Appraisal
U = Book Value

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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-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. Dodge & Cox Balanced Fund	A	Dividend	J	T	Buy	05/14/10	J		
36. Dodge & Cox Income Fund	C	Dividend	K	T	Buy	01/27/10	K		
37. " " "					Sold (part)	03/10/10	K	A	
38. " " "					Sold (part)	05/14/10	K	A	
39. " " "					Buy	08/25/10	K		
40. " " "					Sold (part)	09/09/10	J	A	
41. " " "					Sold (part)	10/21/10	K	A	
42. Royce Opportunity Fd.		None	J	T					
43. Royce Total Return Fd.	A	Dividend	K	T	Buy	08/20/10	K		
44. " " "					Sold (part)	09/09/10	J	A	
45. Janus Overseas Fund D	A	Dividend	K	T	Sold (part)	01/27/10	J	A	
46. " " "					Buy	03/10/10	J		
47. " " "					Sold (part)	05/20/10	K	A	
48. " " "					Buy	10/19/10	J		
49. Janus Short-Term Bond Fd. D	A	Interest	K	T	Buy	01/27/10	J		
50. " " "					Sold (part)	03/10/10	J	A	
51. " " "					Buy	05/20/10	K		

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|--|--|--|--|--|-------------------------|
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(See Columns B1 and D4) | A = \$1,000 or less
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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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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)
52. Intech Risk-Managed Care Fund D	A	Dividend	J	T	Buy	10/19/10	J		
53. Perkins Mid-Cap Value Fd. D	A	Dividend	K	T	Buy	03/10/10	K		
54. " " "					Sold (part)	08/13/10	J	A	
55. Fidelity Int'l Small Cap Fd.	A	Dividend	J	T	Buy	10/21/10	J		
56. Fidelity Contra Fd.	A	Dividend	K	T	Buy	03/10/10	J		
57. " " "					Buy	10/21/10	J		
58. Fidelity Select Wireless Fd.	A	Dividend	J	T	Sold (part)	08/20/10	J	A	
59. Fidelity Select Natural Gas Fd.	A	Dividend	J	T	Sold (part)	03/10/10	J	A	
60. Fidelity Select Natural Gas Fund	A	Dividend	J	T	Sold (part)	03/10/10	J	A	
61. Dodge & Cox International Fd.	A	Dividend	K	T	Sold (part)	01/27/10	K	B	
62. " " "					Buy	03/10/10	J		
63. " " "					Sold (part)	05/14/10	K	B	
64. " " "					Sold (part)	08/20/10	J	A	
65. " " "					Buy	10/21/10	K		
66. Pennsylvania Mutual Fd.	A	Dividend	J	T					
67. Royce Premier Fund	A	Dividend	K	T	Sold (part)	08/20/10	J	A	
68. Royce 100 Fund	A	Dividend	J	T	Sold (part)	08/20/10	J	A	

- | | | | | | |
|--|---|--|--|--|-------------------------|
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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
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
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	(1) Amount Code I (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 I (A-H)	(5) Identity of buyer/seller (if private transaction)
69. Royce Value Plus Fd.	A	Dividend	J	T	Sold (part)	12/09/10	J	A	
70. Northwestern Mutual Modified Whole Life Policies	D	Interest	M	T					
71. Mass. Mutual Whole Life Policy	C	Interest	K	T					
72. Thrivant Lutheran Brotherhood Whole Life Policy	A	Interest	K	T					
73. Janus Enterprise Fund D		None	K	T	Sold (part)	08/13/10	J	A	
74. " " "					Buy	10/19/10	J		
75. Janus Global Research Fund D	A	Dividend	K	T	Sold (part)	08/13/10	J	A	
76. " " "					Buy	10/19/10	J		
77. Fidelity Canada Fd.	A	Dividend	K	T	Sold (part)	01/27/10	J	A	
78. " " "					Buy	03/10/10	J		
79. " " "					Sold (part)	08/20/10	J	A	
80. " " "					Buy	10/21/10	J		
81. PERA Growth & Income Fund	A	Dividend	J	T					
82. Fidelity Real Estate Investments	A	Dividend	K	T	Sold (part)	01/27/10	J	A	
83. " " "					Buy	03/10/10	J		
84. " " "					Sold (part)	08/20/10	J	A	
85. " " "					Buy	10/21/10	J		

1. Income Gain Codes:
(See Columns B1 and D4)

A = \$1,000 or less
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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

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3. Value Method Codes
(See Column C2)

Q = Appraisal
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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)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	Amount Code 1 (A-H)	Type (e.g., div., rent, or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g., buy, sell, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-H)	Identity of buyer/seller (if private transaction)
86. Fidelity Select Environmental Services	A	Dividend	J	T	Sold (part)	08/20/10	J	A	
87. Janus Fund D			J	T	Sold (part)	01/27/10	J	A	
88. Fidelity Select Natural Resources	A	Dividend	J	T					
89. Dodge & Cox Global Stock Fund			J	T	Buy	10/21/10	J		

1. Income Gain Codes:
(See Columns B1 and D4)

A = \$1,000 or less

F = \$50,001 - \$100,000

2. Value Codes
(See Columns C1 and D3)

J = \$15,000 or less

N = \$250,001 - \$500,000

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3. Value Method Codes
(See Column C2)

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

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S = Assessment

W = Estimated

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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.)*

VII. Investments and Trusts:

Line 13 (Janus Global Select Fund D) is a name change from Janus Orion Fund.

Lines 3, 6, 7, 24, 45, 49, 73, 75, and 87. Janus changed the names of these funds to include the classification of "D." They are the same funds I had previously.

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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/ David M. Ebel**

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
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544