

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2008

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 05/14/2009
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 01/01/2008 to 12/31/2008
7. Chambers or Office Address 95 SEVENTH STREET P.O. BOX 1939393 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.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

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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. _____	_____
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. 9/26-9/27/08	COLLEGE OF WILLIAM AND MARY - LECTURE FEE	\$500.00
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. 2008	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. YALE UNIVERSITY	05/04/2008 - 05/06/2008	NEW HAVEN, CT	CIVIC ORG. ACTIVITY	TRAVEL, LODGING, MEALS
2. AFL-CIO LAWYERS CO ORDINATING COMMITTEE	05/18/2008 - 05/20/2008	SEATTLE, WA	CIVIC ORG. ACTIVITY	TRAVEL, LODGING, MEALS
3. AMERICAN CONSTITUT ION SOCIETY	06/12/2008 - 06/15/2008	WASHINGTON, D.C.	PROFESSIONAL ASSOC. ACTIV	TRAVEL, LODGING, MEALS
4. COLLEGE OF WILLIAM AN D MARY	09/25/2008 - 09/27/2008	WILLIAMSBURG, VA	CIVIC ORG. ACTIVITY	TRAVEL, LODGING, MEALS
5. YALE UNIVERSITY	11/06/2008 - 11/08/2008	NEW HAVEN, CT	CIVIC ORG. ACTIVITY	TRAVEL, LODGING, MEALS

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6. NEW YORK UNIVERSITY	11/08/2008 - 11/11/2008	NEW YORK, NY	CIVIC ORG. ACTIVITY	TRAVEL, LODGING, MEALS
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7. HARVARD LAW SCHOOL	11/17/2008 - 11/19/2008	CAMBRIDGE, MA	CIVIC ORG. 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-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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. BANK OF AMERICA ACCOUNT	A	Interest	M	T					
2. COCA COLA COMPANY - COMMON STOCK	B	Dividend	K	T					
3. COMCAST CORP NEW CL A - COMMON STOCK	A	Dividend	J	T					
4. CORNING INC - COMMON STOCK	B	Dividend	L	T					
5. LSI CORPORATION - COMMON STOCK		None	J	T					
6. NSTAR - COMMON STOCK	A	Dividend	J	T					
7. PEPSICO INCORPORATED - COMMON STOCK	A	Dividend	K	T					
8. PUB SVC ENT GROUP INC - COMMON STOCK	A	Dividend	J	T					
9. SOURCE INTERLINK COMPANY - COMMON STOCK		None	J	T					
10. VERIZON COMMUNICATIONS - COMMON STOCK	A	Dividend	J	T					
11. VODAFONE GROUP NEW ADR F	A	Dividend	J	T					
12. DREYFUS APPRECIATION FD	B	Dividend	K	T					
13. DREYFUS EMERGING LEADERS FUND	C	Dividend	K	T					
14. DREYFUS PREMIER NEW LEADERS FUND CLASS A	B	Dividend	L	T					
15. EMBARCADERO ALL CAP GROWTH FD (FMR VAN WAGONER SMALL CAP GF)		None	K	T					
16. EMBARCADERO SMALL CAP GROWTH FD (FMR VAN WAGONER EMERGING)		None	J	T					
17. RS MID CAP OPPORTUNITIES FUND	D	Dividend	N	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	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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. SCHWAB PREMIER EQUITY SELECT SHARES	A	Dividend	L	T					
19. SCH CA MUNI MONEY FD (SWEEP)	B	Dividend	L	T					
20. SCHWAB CA MUNI MONEY FD (NON-SWEEP)	B	Dividend	L	T					
21. FIDELITY CA AMT TAX FREE MMKT INST CLASS	F	Int./Div.	P1	T					
22. PSP#1 [REDACTED]	D	Dividend	M	T					
23. -AIM CONSTELLATION FUND-CLASS A DOMESTIC EQUITY FUNDS					Sold	06-02	L	D	
24. -AIM CAPITAL DEVELOPMENT FUND-CLASS A									
25. -AIM INTERNATIONAL SMALL CO FD -CL A									
26. -AIM GLOBAL EQUITY FUND - CLASS A									
27. -AIM MULTI-SECTOR FUND - CLASS A									
28. IRA#1 [REDACTED]	D	Dividend	M	T					
29. -AMCAP FUND - CLASS A									
30. -WASHINGTON MUTUAL INVESTORS FUND - CLASS A									
31. PSRP#1 [REDACTED]	D	Dividend	N	T					
32. -AMERICAN FUNDS - EUROPACIFIC GROWTH FUND - CL A"									
33. -AMERICAN FUNDS - THE GROWTH FUND OF AMERICA - CL A"									
34. -AMERICAN FUNDS - THE NEW ECONOMY FUND - CL A"									

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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	(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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
35. -AMERICAN FUNDS - NEW PERSPECTIVE FUND - CL A"									
36. -AMERICAN FUNDS - CAPITAL WORLD GROWTH AND INCOME FUND - CL					Buy	06/10	L		
37. -AMERICAN FUNDS - FUNDAMENTAL INVESTORS - CL A"									
38. -AMERICAN FUNDS - THE INVESTMENT COMPANY OF AMERICA - CL A"									
39. -AMERICAN FUNDS - WASHINGTON MUTUAL INVESTORS FUND - CL A"									
40. -AMERICAN FUNDS - THE INCOME FUND OF AMERICA - CL A"									
41. -AMERICAN FUNDS - AMERICAN BALANCED FUND - CL A"									
42. -AMERICAN FUNDS - THE CASH MANAGEMENT TRUST OF AMERICA - CL									
43. -VANGUARD - 500 INDEX FUND					Buy (add'l)	05/23	J		
44. -VANGUARD EMERGING MARKETS STOCK INDEX FUND					Buy	05/23	K		
45. IRA#2	E	Dividend	O	T					
46. -AMERICAN FUNDS - EUROPACIFIC GROWTH FUND - CL A									
47. -AMERICAN FUNDS - THE GROWTH FUND OF AMERICA - CL A									
48. -AMERICAN FUNDS - NEW PERSPECTIVE FUND - CL A									
49. -AMERICAN FUNDS - CAPITAL WORLD GROWTH AND INCOME FUND - CL A									
50. -AMERICAN FUNDS - FUNDAMENTAL INVESTORS - CL A									
51. -AMERICAN FUNDS - THE INVESTMENT COMPANY OF AMERICA - CL A									

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

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 Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
52. -AMERICAN FUNDS - CAPITAL INCOME BUILDER - A									
53. -AMERICAN FUNDS - THE INCOME FUND OF AMERICA - CL A									
54. -AMERICAN FUNDS - AMERICAN BALANCED - CL A									
55. [REDACTED] CAPITAL ACCOUNT IN LAW FIRM PARTNERSHIP *1	D	Interest	J	U					

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

*1 THE EARNINGS REPORTED IN PART VII REPRESENT T



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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