

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) BRORBY, WADE	2. Court or Organization Tenth Circuit	3. Date of Report 03/11/2009
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Circuit Judge - Senior	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 P.O. Box 1028 Cheyenne, WY 82003	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. Co-Trustee	Trust #1
2.	
3.	
4.	
5.	

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.	

RECEIVED
 2009 MAR 17 A 11:34
 FINANCIAL
 DISCLOSURE OFFICE

FINANCIAL DISCLOSURE REPORT

Page 2 of 10

Name of Person Reporting

BRORBY, WADE

Date of Report

03/11/2009

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. 11/25/08	Prudential Insurance - Policy Dividend - See Part VIII
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.				

FINANCIAL DISCLOSURE REPORT

Page 3 of 10

Name of Person Reporting

BRORBY, WADE

Date of Report

03/11/2009

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

BRORBY, WADE

Date of Report

03/11/2009

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. IRA #1:	D	Int./Div.	N	T					
2. --Acadian Emerging Markets Portfolio (AEMGX)					Sold (part)	11/28	J		
3. --Artio Int'l Equity Fund (BJBIX)(formerly Julius Baer Fund)					Buy	6/2	K		
4. --BBH Real Return/Inflation Indexed Securities Fund (BBHIX)					Sold	6/2	J		
5. --Dodge & Cox Intl Stock Fund (DODFX)									
6. --Exxon Mobil Corp. (stock) (XOM)									
7. --Ishares TR Barclays Agg. Bond Fund (formerly Lehman) (AGG)									
8. --Ishares Trust S & P 500 Index Fund (IVV)									
9. --Johnson & Johnson (stock) (JNJ)									
10. --Loomis Sayles Bond Fund (LSBRX)									
11. --Manning & Napier World Oppty. (EXW AX)					Buy	11/28	J		
12.					Buy	12/23	J		
13. --Merrill Lynch 6.45% (MER+K)									
14. --Morgan Stanley 6.6% Cap Trust (MSZ)									
15. --Nuveen Multi Strat Incrm (JPC)									
16. --Parnassus Equity Income Fund (PRBLX)					Buy	11/28	J		
17.					Buy	12/23	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	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	

FINANCIAL DISCLOSURE REPORT

Page 5 of 10

Name of Person Reporting

BRORBY, WADE

Date of Report

03/11/2009

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. --Pimco Total Return Fund Class D (PTTD X)									
19. --Royce TR Fund (RYTRX)					Buy	6/2	J		
20.					Buy	11/28	J		
21. --Schwab Cash Reserves (SWSXX)					Buy	12/1	J		
22.					Buy	12/16	J		
23. --Schwab Premier Equity Select (Investor) Shares (SWPSX)					Sold (part)	6/2	J	A	
24. --Schwab Value Advantage Money Fund (SWVXX)					Buy	6/3	K		
25.					Sold	11/28	K	A	
26. --Schwab Yield Plus Inv. Shares (SWYPX)					Sold	3/3	K		
27. --UMB Scout International Fund (UMBWX)					Buy	6/2	J		
28. --Value Line Emerging Oppty. Fund (VLEOX)					Buy	6/2	J		
29.					Buy	11/28	J		
30.					Buy	12/23	J		
31. TRUST #1:		None	N	T					
32. --Avonworth PA School Bond									
33. --Bank of America Corp. (BAC)									
34. --Black & Decker Corp. (BDK)					Sold	6/2	J	B	

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 6 of 10

Name of Person Reporting

BRORBY, WADE

Date of Report

03/11/2009

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)
35. --Davis NY Venture Fd (NYVTX)					Buy	6/2	K		
36.					Sold	11/28	K		
37. --Fidelity AZ Muni Income Fd. (FSAZK)					Buy	6/2	K		
38. --Great Southern Bank (CD)					Buy	3/3	K		
39.					Redeemed	12/1	K		
40. --Ishares TR Russell 2000 Index Fund (IWM)					Buy	8/26	J		
41. --Ishares Trust S& P 500 (IVV)					Buy	12/16	K		
42. --Janus Growth & Income Fund (JAGIX)									
43. --Laudus U.S. Discovery Inv. (RDIVX)					Sold	11/28	J		
44. --Loomis Sayles Bond Fund CI R (LSBRX)									
45. --Maricopa County AZ 3.25% Bond									
46. --NB Socially Responsive (NBSRX)					Buy	8/26	K		
47. --Schwab Dividend Equity Select Shares (S WDSX)					Sold (part)	6/3	J	B	
48. --Schwab Large Cap Growth Fund (SWLN X)									
49. --Schwab Tax Free Yield Plus (SWYTX)					Sold	3/3	L		
50. --Schwab Muni Money Fund (SWTXX)					Sold (part)	6/3	K		
51.					Buy	12/1	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)					

Page 7 of 10

BRORBY, WADE

03/11/2009

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

[illegible][illegible]

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 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 \$50,000,000	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 8 of 10

Name of Person Reporting

BRORBY, WADE

Date of Report

03/11/2009

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)
69. Clipper Fund	A	Dividend	J	T					
70. Federal Homeowner Lending Mortgage	A	Interest	J	T					
71. Federal Home Loan Bank (Notes)	B	Dividend	K	T					
72. Federal National Mortgage	A	Interest	K	T					
73. First National Bank of Gillette (Various Bank Accounts)	B	Interest	L	T					
74. Jensen Portfolio (Fund)	A	Dividend	K	T					
75. Key Bank (Deposit)	B	Interest	K	T	Open	1/15	K		
76.					Closed	7/15	K	B	
77. Peoria, AZ (Bond)	A	Interest	K	T					
78. Prudential Insurance Co. (Stock)	A	Dividend	J	T					
79. Rainier Small/Mid Cap (Fund)	A	Dividend	J	T					
80. Rainier Small/Mid Cap Equity Fund	A	Dividend	J	T					
81. Rydex Technology Fund	A	Dividend	J	T					
82. Wells Fargo (Various Bank Accounts)	A	Interest	L	T					
83. Wyo. Bank & Trust (Various Accounts)	C	Interest	M	T					

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 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 \$50,000,000	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 9 of 10

Name of Person Reporting

BRORBY, WADE

Date of Report

03/11/2009

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

1. Part III - [REDACTED] as trustee, owns a whole life policy insuring my life. The insurer is Prudential Insurance Company. As this policy is not held as an investment, the policy income received is reported under Part III.B (Non-Investment Income).
2. Part VII - Most of our investments are managed by Charles Schwab & Co. under a service described as Schwab Private Client.
3. Part VII - I list ownership of most of my assets under Aggregate Ownership Arrangements. All assets not owned under such an arrangement are listed separately.
4. Part VII - The funds designated with ** are merely holding funds. It should be noted that when income is received from a particular investment it is placed in one these Schwab "sweep" funds. When new investments are purchased, funds are taken from one of these funds to pay for the new investment. These funds are the (1) Schwab Muni Money Fund Sweep (SWXXX); and (2) Schwab Cash Reserves Sweep Fund (SWSXX).
5. Part VII - Where possible I have included the commonly known stock symbols and stock names.
6. Part VII - Artio International Equity Fund (BJBIX) was formerly known as Julius Baer International Equity Fund (BJBIX).
7. Part VII - Ishares TR Barclays Aggregate Bond Fund (AGG) was formerly known as Ishares TR Lehman Aggregate Bond Fund (AGG).

FINANCIAL DISCLOSURE REPORT

Page 10 of 10

Name of Person Reporting

BRORBY, WADE

Date of Report

03/11/2009

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
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