

AO 10
Rev. 1/2010

**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) Benitez, Roger T.	2. Court or Organization U. S. District Court, Southern District of California	3. Date of Report 05/06/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) District Judge, Active	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2009 to 12/31/2009
7. Chambers or Office Address 940 Front Street San Diego, California 92101	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. Power of Attorney	_____
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	California State Teachers 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.)*

<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)		B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
Place "(X)" after each asset exempt from prior disclosure		(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or not)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yyyy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1.	Parcel 2 El Centro, Ca (98,026)	D	Rent	L	S					
2.	Parcel 3 El Centro, Ca (106,694)	D	Rent	M	S					
3.	Parcel 4 Salton City, Ca (2,508)		None	J	S					
4.	Northern Life Annuity/ING	B	Interest	K	T					
5.	General Electric-common stock	A	Dividend	J	T	Buy (add'l)	11/06/09	J		
6.	Mirant Corp-common stock		None	J	T					
7.	Proctor & Gamble-common stock	A	Dividend	J	T	Buy (add'l)	11/05/09	J		
8.	Ei Dupont-common stock	A	Dividend	J	T	Buy (add'l)	8/03/09	J		
9.	Bank of America-common stock	A	Dividend			Sold	03/03/09	J	A	
10.	Walmart Stores, Inc.- common stock	A	Dividend	J	T					
11.	Pitney Bowes, Inc.-common stock	A	Dividend	J	T					
12.	Ford Motor Company-common stock		None			Sold	8/26/09	J	B	
13.	Chevron Corp.-common stock	A	Dividend	J	T					
14.	Berkshire Hathaway B-common stock		None	K	T					
15.	Sirius Satellite Radio-common stock		None			Sold	04/16/09	J		
16.	Citadel Broadcasting-common stock		None			Sold	04/16/09	J	A	
17.	Alcoa Inc.-common stock	A	Dividend	J	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	

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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-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)
18. Amerigas Partners LP Unit-limited partnership interest	A	Dividend	J	T					
19. EMC corp-common stock		None			Sold	04/16/09	J	A	
20. Progress Energy, Inc. -common stock	A	Dividend	J	T					
21. Spectra Energy Corp-common stock	A	Dividend	J	T					
22. Wells Fargo Bank-common stock		None	J	T	Buy (add'l)	08/03/09	J		
23. ----- AEE/Common Stock	A	Dividend	J	T					
24. Boeing Corporation common stock	A	Dividend	J	T					
25. Costco common stock	A	Dividend	J	T					
26. Diana Shipping DSX-common stock		None	J	T					
27. JP Morgan Chase preferred stock	A	Dividend	J	T					
28. Smith Barney Money Funds (Western Asset Fund class A)	B	Int./Div.	K	T					
29. Citibank- Bank Deposit Program	A	Interest	K	T					
30. Franklin Fund-small cap growth fund I class	A	Dividend	J	T					
31. Valic Fixed Account Plus	A	Dividend	J	T					
32. AIG Valic Mid Cap Fund (Wellington)		None	K	T					
33. Valic Small Cap Special Value-Everggreen/Putnam		None	J	T					
34. Valic International Small Cap Equity/ AIG		None	J	T					

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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	

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35. Valic Midcap Strat. GR./Morgan Stanley		None	J	T					
36. World Savings(now Wachovia) aggregate	A	Interest	J	T					
37. Washington Mutual aggregate	D	Interest	K	T					
38. San Diego County Credit Union aggregate	D	Interest	N	T					
39. Bank of America aggregate	C	Interest	M	T					
40. Temecula Valley Bank aggregate	B	Interest	M	T	Open	03/04/09	M		
41. San Diego National Bank- aggregate	B	Interest	N	T					
42. Saddleback (X) Unified School Bond	A	Dividend			Redeemed	12/22/09	J		
43. Dinuba CA Fing Wastewtr Reclamation---- Bond	A	Interest	J	T					
44. Ontario Cmnty FACS Dist Bond	A	Interest	K	T					
45. Franklin Templeton Income Fund class A (X)	A	Dividend	J	T			J		
46. American Lithium common stock		None			Buy	10/08/09	J		
47.					Sold	11/06/09	J	A	
48. Caterpillar Equipment Co. common stock	A	Dividend			Buy	03/03/09	J		
49.					Sold	08/26/09	J	B	
50. Power of Attorney--									
51. --USFFCredit Union (aggregate) (X)	D	Int./Div.	J	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	H = \$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 M1 = \$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
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	(1)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	Amount Code 1 (A-I)	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-I)	Identity of buyer/seller (if private transaction)
52. --Chase Manhattan (aggregate)	B	Interest	O	T	Open	01/07/09	O		
53. ---Property 1, Tampa Florida, (115,341) (X)			M	S					
54. ---Property 2, Tampa Florida, (111895)(X)			M	S					
55. ---Property 3, St. Cloud, Florida, (147,488)(X)			M	S					
56.									
57.									
58.									
59.									
60.									

1. Income Codes (See Columns B1 and D4)	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 F = \$50,001 - \$100,000 G = \$100,001 - \$1,000,000 H = \$1,000,001 - \$5,000,000 I = \$5,000,001 - \$10,000,000 J = \$10,000,001 - \$50,000,000 K = \$50,000,001 - \$1,000,000,000 L = \$1,000,000,001 - \$5,000,000,000 M = \$5,000,000,001 - \$10,000,000,000 N = \$10,000,000,001 - \$50,000,000,000 O = \$50,000,000,001 - \$1,000,000,000,000 P = \$1,000,000,000,001 - \$5,000,000,000,000 Q = \$5,000,000,000,001 - \$10,000,000,000,000 R = \$10,000,000,000,001 - \$50,000,000,000,000 S = \$50,000,000,000,001 - \$1,000,000,000,000,000 T = \$1,000,000,000,000,001 - \$5,000,000,000,000,000 U = \$5,000,000,000,000,001 - \$10,000,000,000,000,000 V = \$10,000,000,000,000,001 - \$50,000,000,000,000,000 W = \$50,000,000,000,000,001 - \$1,000,000,000,000,000,000 X = \$1,000,000,000,000,000,001 - \$5,000,000,000,000,000,000 Y = \$5,000,000,000,000,000,001 - \$10,000,000,000,000,000,000 Z = \$10,000,000,000,000,000,001 - \$50,000,000,000,000,000,000
2. Value Codes (See Columns C1 and D3)	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 F = \$50,001 - \$100,000 G = \$100,001 - \$1,000,000 H = \$1,000,001 - \$5,000,000 I = \$5,000,001 - \$10,000,000 J = \$10,000,001 - \$50,000,000 K = \$50,000,001 - \$1,000,000,000 L = \$1,000,000,001 - \$5,000,000,000 M = \$5,000,000,001 - \$10,000,000,000 N = \$10,000,000,001 - \$50,000,000,000 O = \$50,000,000,001 - \$1,000,000,000,000 P = \$1,000,000,000,001 - \$5,000,000,000,000 Q = \$5,000,000,000,001 - \$10,000,000,000,000 R = \$10,000,000,000,001 - \$50,000,000,000,000 S = \$50,000,000,000,001 - \$1,000,000,000,000,000 T = \$1,000,000,000,000,001 - \$5,000,000,000,000,000 U = \$5,000,000,000,000,001 - \$10,000,000,000,000,000 V = \$10,000,000,000,000,001 - \$50,000,000,000,000,000 W = \$50,000,000,000,000,001 - \$1,000,000,000,000,000,000 X = \$1,000,000,000,000,000,001 - \$5,000,000,000,000,000,000 Y = \$5,000,000,000,000,000,001 - \$10,000,000,000,000,000,000 Z = \$10,000,000,000,000,000,001 - \$50,000,000,000,000,000,000
3. Value Method Codes (See Column C2)	A = Appraisal B = Book Value C = Cost (Real Estate Only) D = Other E = Assessment F = Estimated G = Cash Market

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

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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