

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) Bybee, Jay S.	2. Court or Organization U.S. Court of Appeals, 9th Cir	3. Date of Report 07/10/2009
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Circuit Judge (active)	5a. Report Type (check appropriate type) ☐ Nomination, ☐ Initial ☒ Annual ☐ Final 5b. ☒ Amended Report	6. Reporting Period 01/01/2008 to 12/31/2008
7. Chambers or Office Address Lloyd D George U.S. Courthouse 333 Las Vegas Blvd. S., #7080 Las Vegas, NV 89101	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. Senior Fellow, Constitutional Law

William S. Boyd School of Law, University of Nevada, Las Vegas

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. 1991

TIAA-CREF, academic retirement program

2. 1999

VALIC, academic retirement program

3. 1999

Contract with Greenwood Press as co-author for book (published 2006)

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Name of Person Reporting

Bybee, Jay S.

Date of Report

07/10/2009

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. 2008	William S. Boyd Law School, University of Nevada Las Vegas -- teaching	\$ 15,000
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.	
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. The Federalist Society for Law & Public Policy Studies	Jan. 30-31	Columbia Law Sch/Yale Law	Speech/Debate	transportation, lodging, meals, parking
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. Victoria Schwartz, Philip Scarborough, Zachary Rawling, Mark Kressel	Apple iPod Touch, carrying case, music gift card	\$359.00
2. Latham & Watkins, LLP	Legal Services	\$60,074.00
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. Countrywide Mortgage	Mortgage on rental property, Henderson, NV (Part VII, line 29)	M
2.		
3.		
4.		
5.		

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Name of Person Reporting

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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	A	Interest	K	T					
2. Campus Federal Credit Union	A	Interest	J	T					
3. American Funds MMA	A	Interest	K	T					
4. Southern California Edison Common Stock		None	J	T					
5. Fidelity Destiny IRA		None	K	T					
6. Washington Mutual IRA		None	J	T					
7. Acacia Life Insurance (whole life)		None	J	T					
8. American General Insurance		None	J	T					
9. TIAA-CREF (retirement)		None	K	T					
10. VALIC (retirement)		None	M	T					
11. --Mid Cap Value Fund									See note in Part VIII.
12. --Mid Cap Index Fund									See note in Part VIII.
13. --Small Cap Index Fund									See note in Part VIII.
14. --International Equities Fund									See note in Part VIII.
15. --International Small Cap Equity Fund									See note in Part VIII.
16. --Stock Index									See note in Part VIII.
17. --Large Cap Value Fund									See note in Part VIII.

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 P1 = \$250,000.001 - \$500,000.000	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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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				
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18. --Foreign Value Fund									See note in Part VIII.
19. --Socially Responsible Fund									See note in Part VIII.
20. --Fixed Account Plus									See note in Part VIII.
21. --Vanguard Windsor									See note in Part VIII.
22. --Blue Chip Growth									See note in Part VIII.
23. --Global Real Estate Fund									See note in Part VIII.
24. --Large Cap Core									See note in Part VIII.
25. --International Growth Fund I									See note in Part VIII.
26. Conseco Annuity	D	Distribution	J	T					
27. Buena Lanes (passive partnership)	A	Distribution	J	W					
28. Virginia Educational Savings Trust	D	Distribution	K	T					
29. Rental Property, Henderson, NV	A	Rent	M	W					

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

Lines 11-25: These qualified plans were added or removed by VALIC (Part VII, line 10) through my managed account participation. The VALIC account consists of my retirement program from the University of Nevada, Las Vegas, and an individual retirement account (IRA).

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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 THIS REPORT IS SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

BE SUBJECT TO CIVIL

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

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Report Required by the Ethics
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(5 U.S.C. app. §§ 101-111)

1. Person Reporting (last name, first, middle initial) Bybee, Jay S.	2. Court or Organization U.S. Court of Appeals, 9th Cir	3. Date of Report 05/15/2009
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Circuit Judge (active)	5a. Report Type (check appropriate type) ☐ <i>Nomination</i> <i>Date</i> ☐ Initial ☒ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2008 to 12/31/2008
7. Chambers or Office Address Lloyd D George U.S. Courthouse 333 Las Vegas Blvd. S., #7080 Las Vegas, NV 89101	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. Senior Fellow, Constitutional Law

William S. Boyd School of Law, University of Nevada, Las Vegas

2.

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

☐ NONE (No reportable agreements.)

DATE

PARTIES AND TERMS

1. 1991	TIAA-CREF, academic retirement program
2. 1999	VALIC, academic retirement program
3. 1999	Contract with Greenwood Press as co-author for book (published 2006)

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05/15/2009

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<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2008	William S. Boyd Law School, University of Nevada Las Vegas -- teaching	\$ 15,000
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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>
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IV. REIMBURSEMENTS -- transportation, lodging, food, entertainment.

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

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<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1. The Federalist Society for Law & Public Policy Studies	Jan. 30-31	Columbia Law Sch/Yale Law	Speech/Debate	transportation, lodging, meals, parking
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<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
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2. Latham & Watkins, LLP	Legal Services	\$60,074.00
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3. American Funds MMA	A	Interest	K	T					
4. Southern California Edison Common Stock		None	J	T					
5. Fidelity Destiny IRA		None	K	T					
6. Washington Mutual IRA		None	J	T					
7. Acacia Life Insurance (whole life)		None	J	T					
8. American General Insurance		None	J	T					
9. TIAA-CREF (retirement)		None	K	T					
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11. --Mid Cap Value Fund									See note in Part VIII.
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1. Income Gain Codes:

(See Columns B1 and D4)

2. Value Codes

(See Columns C1 and D3)

3. Value Method Codes

(See Column C2)

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V = Other

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

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(See Columns B1 and D4)

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Signature

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFIES
AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

EXPOSED TO CIVIL

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