

AO-10
Rev. 1/2004

FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2004

Report Required by the Ethics
in Government Act of 1978
(5 U.S.C. app. §§ 101-111)

1. Person Reporting (Last name, First name, Middle initial) Kleinfeld, Andrew J	2. Court or Organization Ninth Circuit	3. Date of Report 8/5/2005
4. Title (Article III Judges indicate active or senior status; magistrate judges indicate full- or part-time) Circuit Judge (Active)	5. Report Type (check appropriate type) ☐ Termination, ☐ Date ☒ Initial ☒ Annual ☐ Final	6. Reporting Period 1/1/2004 to 12/31/2004
7. Chambers or Office Address Courthouse Square 250 Cushman St., Suite 3-A Fairbanks, Alaska 99701	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. Co-Trustee

Trust #1

2.

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

☐ **NONE** - (No reportable agreements.)

DATE

PARTIES AND TERMS

1. 2004

ABA Members Retirement Program, no control

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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>GROSS INCOME</u> (Yours, not spouse's)
1.	2004	State of Alaska, Permanent Fund Dividend	920.
2.	2004	Metropolitan Life Insurance Co. (Deferred Comp)	21936.00
3.	2004	Prudential Life Insurance Co. (Deferred Comp)	20652.00
4.	2004	American Enterprise Institute (wrote article)	1000.

B. Spouse's Non-Investment Income - (If you were married during any portion of the reporting year, please 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.	2004	Self employed writer and educational consultant - See Part VIII
2.	2004	University of Alaska - Salary
3.	2004	State of Alaska - Permanent Fund Dividend

IV. REIMBURSEMENTS -- transportation, lodging, food, entertainment

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

☐ **NONE** - (No such reportable reimbursements.)

<u>SOURCE</u>	<u>DESCRIPTION</u>
1. George Mason University, Law & Economics Center	March 25 -28, La Jolla, CA, participant in seminar for judges (transportation, meals and lodging)
2. The Federalist Society For Law & Public Policy Studies	May 7-8, Harvard University, guest speaker Student Chapter of Federalist Society (transportation, meals and lodging)
3. Boston University	May 8 & 9, Boston MA, participant in seminar (transportation, meals and lodging)
4. George Mason University, Law & Economics Center	October 29-30, Washington, D.C., George Mason Judicial Advisory Board Meeting (transportation, meals and lodging)
5. The Federalist Society	November 4, Seattle, WA, Speaker at fourth annual dinner, Puget Sound Lawyers' Chapter (transportation, meals and lodging)

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V. GIFTS. (Includes those to spouse and dependent children. See pp. 28-31 of instructions.)☒ **NONE** - (No such reportable gifts.)SOURCEDESCRIPTIONVALUE

1. _____

VI. LIABILITIES. (Includes those of spouse and dependent children. See pp. 32-34 of instructions.)☒ **NONE** - (No reportable liabilities.)CREDITORDESCRIPTIONVALUE CODE

1. _____

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VII. INVESTMENTS and TRUSTS -- income, value, transactions (includes those of the spouse and dependent children. See pp. 34-37 of filing instructions.)

A. Description of Assets (including loss 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)	If not exempt from disclosure			
	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, merger, 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)
☐ NONE (No reportable income, assets, or transactions)									
1. Morgan Stanley - Money Mkt Account	A	Dividend	L	T					
2. Radio Shack common stock	A	Dividend	J	T					
3. Scudder Investments-Int'l Global Funds	B	Dividend	M	T					
4. Keogh Plan - Administered by ABA	F	Dividend	P1	T					
5. Merrill Lynch Bond Fund	C	Dividend	M	T					
6. 403(b) Plan w/ ING	B	Interest	K	T					
7. US Treasury Bonds at Morgan Stanley	A	Interest			Redemption	11-15	K	A	
8. SBC common stock	A	Dividend	J	T					
9. Qwest common stock	A	Dividend	J	T					
10. Am Elect Power common stock	B	Dividend	K	T					
11. Bell South common stock	A	Dividend	J	T					
12. Verizon common stock	A	Dividend	J	T					
13. Northrop Grumman, common stock	B	Dividend	L	T	sell	4/14	J	A	sold fractional shares
14. Denali State Bank Accounts	A	Interest	K	T					
15. Wachovia, Tax Free Money Market Account	A	Interest			closed				
16. Morgan Stanley Utility Fund (Trust #1)	B	Interest	L	T					
17. U.S. Savings Bonds (Trust #1)	D	Interest	M	T					
18. Morgan Stanley US Govt Securities Tr (Trust #1)	B	Interest	L	T					

1. Income/Gain Codes:	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
(See Columns B1 and D4)	F = \$50,001-\$100,000	G = \$100,001-\$1,000,000	H1 = \$1,000,001-\$5,000,000	H2 = More than \$5,000,000	
2. Value Codes:	J = \$15,000 or less	K = \$15,001-\$50,000	L = \$50,001-\$100,000	M = \$100,001-\$250,000	
(See Columns C1 and D3)	N = \$250,001-\$500,000	O = \$500,001-\$1,000,000	P1 = \$1,000,001-\$3,000,000	P2 = \$3,000,001-\$25,000,000	
	P3 = \$25,000,001-\$50,000,000		P4 = More than \$50,000,000		
3. Value Method Codes:	Q = Appraisal	R = Cost (Real Estate Only)	S = Assessment	T = Cash/Market	
(See Column C2)	U = Book Value	Y = Other	W = Estimated		

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VII. INVESTMENTS and TRUSTS

-- Income, value, transactions (includes those of the spouse and dependent children). See pp. 34-37 of filing instructions.

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-F)	(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, merger, 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)
19. Morgan Stanley Tax Exempt Sec Tr (Trust #1)	C	Interest	L	T					
20. Franklin Fed Tax Free Inc Fd (Trust #1)	D	Interest	M	T					
21. Wash St Pub Pwr (Trust #1)	A	Interest			matured	7/1	J	A	
22. Franklin Tax Free Tr (Trust #1)	B	Dividend	K	T					
23. Met Life - Trust Interests	A	Dividend	J	T					
24. Northern Growth Equity Fund - (Trust #1)	C	Dividend	M	T					
25. Northern Income Equity Fund (Trust #1)	C	Dividend	M	T					
26. Northern Int'l Growth Equity Fund (Trust #1)	A	Dividend	K	T					
27. AIM Equity Cap Dev Funds	B	Dividend	K	T					
28. AIM Int'l Aggressive Growth Fund	B	Dividend	K	T					
29. Davis NY Venture Fund	C	Dividend	L	T					
30. Pimco Capital Apprec	C	Dividend	L	T					
31. Pimco Growth	A	Dividend			sold	1/6	K	A	
32. Pimco Target	B	Dividend	K	T					
33. TIAA-CREF Retirement Annuity	E	Interest	M	T					
34. Davis Ser Inc Growth Opportunity	B	Dividend	K	T					
35. Evergreen Hi Inc Muni Bond Fnd	B	Interest	K	T					
36. Symetra 403(b) (formerly Safeco Life Insurance)	D	Interest	M	T					

1. Income/Gain Codes:	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
(See Columns B1 and J14)	F = \$50,001-\$100,000	G = \$100,001-\$1,000,000	H1 = \$1,000,001-\$5,000,000	H2 = More than \$5,000,000	
2. Value Codes:	J = \$15,000 or less	K = \$15,001-\$50,000	L = \$50,001-\$100,000	M = \$100,001-\$250,000	
(See Columns C1 and D5)	N = \$250,001-\$500,000	O = \$500,001-\$1,000,000	P1 = \$1,000,001-\$5,000,000	P2 = \$5,000,001-\$25,000,000	
	P3 = \$25,000,001-\$50,000,000		P4 = More than \$50,000,000		
3. Value Method Codes	Q = Appraisal	R = Cost (Real Estate Only)	S = Assessment	T = Cash/Market	
(See Column C2)	U = Book Value	V = Other	W = Estimated		

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VII. INVESTMENTS and TRUSTS -- income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 of filing instructions.)

A. Description of Assets (including trust assets) Place "X" under each asset except 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-J)	(2) Type (e.g. div, rent, or int.)	(1) Value Code 2 (L-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g. buy, sell, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
37. Northern Money Mrt Account (Trust #1)	B	Interest	L	T					
38. Transamerica Occidental Life	C	Interest	L	T					
39. Transamerica Occidental Life	B	Interest	K	T					
40. Nat'l Equity Low5 Ser 51	A	Dividend			sold	4/13	K	D	
41. Nat'l Equity Low5 Ser 54	A	Dividend			sold	10/25	K	A	
42. Nat'l Equity Top10 Ser 42	A	Dividend			sold	9/7	K	B	
43. Nat'l Equity SP500 Ser 19	A	Dividend			sold	4/13	J	B	
44. Ak State Housing Fin Corp	A	Interest	K	T	buy				See VIII explanation
45. Kitsap Cnty Wash GO	A	Interest	K	T	buy	2/10	K		
46. Mat-Su GO	A	Interest	K	T	buy	2/12	K		
47. Wachovia cash account	A	Interest	J	T	opened				
48. Wachovia - Evergreen money market	A	Interest	J	T	opened				
49. Unit 821 Dow Target	C	Interest	L	T	buy	4/8	L		
50. Unit 872 Dow target	A	Interest	K	T	buy	9/13	K		
51. First Trust Dow Target	A	Interest	K	T	buy	10/28	J		
52. Fidelity Investments Deferred Comp	A	Interest	J	T	Buy	1/15	J		

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 = \$250,000-\$500,000 P3 = \$250,000.01-\$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 = \$5,000,001-\$50,000,000	M = \$10,001-\$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	

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VIII. ADDITIONAL INFORMATION OR EXPLANATIONS

(Indicate part of Report.)

Various stocks (including SBC, Qwest, American Electric, Bell South, Northrup Grumman, and Verizon) accrue additional shares through dividend reinvestment programs.

Judge Kleinfeld (Person Reporting) is Co-Trustee of a trust (Trust #1). Northern Trust Bank of Florida is the Co-Trustee. Judge Kleinfeld receives income and has the power to invade principal subject to a standard. The beneficiaries are members of Judge Kleinfeld's [REDACTED]. The descriptions of the assets controlled by the trust are listed in Part VII of the disclosure report and are followed by a (Trust #1) designation.

Person Reporting's [REDACTED] has received compensation for articles written, research services provided or conferences attended from the following entities: Alaska Humanities Forum, Anchorage School District, Boston University, Fairbanks Daily News-Miner, Ohio University, University of Nebraska, Wellesley College, and Publishers Marketing Association, Inc.

Person Reporting failed to report and include on the 2003 Financial Disclosure Report, the purchase on August 27, 2003 of an Alaska State Housing Finance Corp. bond. Please accept this notice as an amendment of the 2003 FDR. See item #44 of Part VII.

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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. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature



Date

8/5/05

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILLFULLY 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