

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) Tatel, David S.	2. Court or Organization U.S. Court of Appeals, DC Cir.	3. Date of Report 05/12/2010
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 01/01/2009 to 12/31/2009
7. Chambers or Office Address Prettyman U.S. Courthouse 333 Constitution Ave., NW Washington, DC 20001	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. Director	Carnegie Foundation for the Advancement of Teaching
2. Director	Historical Society for the District of Columbia Circuit
3. Director	Equal Justice Works
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.	

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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	Self-Employed (education consultant)
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.	Harvard University, Boston, MA	1/16-1/17/2009	Boston, MA	Deliver the keynote address at the Charles Hamilton Houston Institute Symposium	Taxi & airport parking
2.	Carnegie Foundation for the Advancement of Teaching, Stanford, CA	3/10-3/16/09	Stanford, CA	Board & Executive Committee meetings	Airfare, rental car, meals, local transportation
3.	University of California, Berkley School of Law, Berkley, CA	4/11-4/15/09	Berkeley, CA	Moot Court Competition	Lodging, rental car, meals, local transportation
4.	Equal Justice Works, Washington, D.C.	6/11-6/12/09	New York, NY	Board Meeting	Train, local transportation

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5.	American Constitution Society, Washington, D.C.	6/19/09	Washington, D.C.	Attend national convention	Meals, local transportation
6.	Carnegie Foundation for the Advancement of Teaching, Stanford, CA	7/16-7/17/09	Stanford, CA	Board & Executive Committee meetings	Airfare, lodging, rental car, meals, local transportation
7.	Carnegie Foundation for the Advancement of Teaching, Stanford, CA	9/25/09	Stanford, CA	Committee meetings	Airfare, rental car, meals, local transportation, membership dues
8.	Environmental Law Institute, Washington, D.C.	10/6/09	Washington, D.C.	Attend symposium	Local transportation
9.	The National Academies, Washington, D.C.	10/19/09	Washington, D.C.	Committee meetings	Local transportation
10.	Chicago Lawyers' Committee for Civil Rights Under Law, Inc., Chicago, IL	10/22-10/23/09	Chicago, IL	Attend 40th Anniversary Celebration	Airfare, lodging, local transportation
11.	Carnegie Foundation for the Advancement of Teaching, Stanford, CA	10/22-10/23/09	Chicago, IL	Committee meetings	Local transportation, meals
12.	Spencer Foundation, Chicago, IL	10/28-10/29/09	Chicago, IL	Attend Lecture	Airfare, local transportation, 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.)*SOURCEDESCRIPTIONVALUE

	<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.)*CREDITORDESCRIPTIONVALUE CODE

	<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 mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-I)	(5) Identity of buyer/seller (if private transaction)
1. Chevy Chase Bank - checking acct.	A	Interest	J	T					
2. ING Bank-savings acct(s)	A	Interest	J	T					
3. ING Bank-checking acct		None	J	T					
4. Starbucks Corp.		None	K	T					
5. Standard & Poors Midcap 400	A	Dividend	L	T					
6. Federal Realty Investment Trust	B	Dividend	K	T					
7. Avalonbay Communities	B	Dividend	K	T					
8. -See Line 7					Buy (add'l)	1/27/09	J		
9. -See Line 7					Sold (part)	2/20/09	J	A	
10. Harford Cnty MD 4.25% 1/15/09	A	Interest			Matured	1/15/09	K	A	
11. ISHARES Russell 2000	A	Dividend	K	T					
12. Nexen Inc.	A	Dividend	K	T					
13. Suncor Energy Inc.	A	Dividend	K	T					
14. Encana Corp.	A	Dividend	J	T					
15. SEI Daily Income TR Govt Port CIB	A	Dividend	M	T					
16. GE Money Bank CD 2.55% due 12/18/09	B	Interest			Matured	12/18/09	L	A	
17. Newport News, VA 5% due 11/1/15	B	Interest	L	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
H = \$1,000,001 - \$5,000,000

D = \$5,001 - \$15,000

E = \$15,001 - \$50,000

2. Value Codes
(See Columns C1 and D3)

J = \$15,000 or less
N = \$250,001 - \$500,000

K = \$15,001 - \$50,000
O = \$500,001 - \$1,000,000

L = \$50,001 - \$100,000
P1 = \$1,000,001 - \$5,000,000

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

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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 mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. Wisconsin St 4.75% due 5/1/25	B	Interest	L	T					
19. Spring, TX Indpt Sch 5% due 8/15/33	B	Interest	K	T					
20. Gold Coast Bank CD 1.7% due 12/23/09	A	Interest			Buy	1/14/09	K		
21. --See Line 20					Matured	12/23/09	K	A	
22. Cenovus Energy Inc.	A	Dividend	J	T	Spinoff (from line 14)	11/30/09			
23. Simplified Employee Pension Plan (SEP-IRA)	C	Int./Div.	M	T					
24. --SEI Daily Income TR Govt Port C1 B									
25. --Canadian Oil Sands Trust									
26. --First Fed Bank CD 3.25% due 1/7/09					Matured	1/7/09	K	A	
27. --Capital One Bank CD 3.1% due 2/13/09					Matured	2/13/09	K	A	
28. --Commercial Bank GA CD 4.05% due 4/28/10									
29. --Georgia Bank & Trust CD 1.65% due 1/22/10					Buy	1/7/09	K		
30. --SPDR S&P 500 ETF Trust					Buy	1/27/09	K		
31. --Bank Commonwealth Norfolk VA CD 1.8% due 8/13/10					Buy	2/4/09	K		
32. Individual Retirement Account	F	Int./Div.	P1	T					
33. --Ishares MSCI Canada Index Fund, Inc									
34. --Morgan Stanley MTN Var-Cpn 2/1/11									

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		
3. Value Method Codes (See Column C2)				T = Cash Market	

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	(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)
35. --Weingarten Realty Investors Fund									
36. --CISCO Systems, Inc.									
37. --Prologis					Sold	8/25/09	J	D	
38. --First Merit Bk OH CD 5.25% due 7/10/09					Matured	7/10/09	L	A	
39. --SEI Daily Income TR Govt Portfolio C1 B									
40. --SAP Aktiengesellschaft Spus ADR									
41. --Capital One Bank CD 3.1% due 2/13/09					Matured	2/13/09	M	A	
42. --First Natl Bank NE CD 2.85% due 4/3/09					Matured	4/3/09	M	A	
43. --GE Money Bank CD 2.05% due 6/18/09					Matured (part)	3/10/09	M	A	
44. --See Line 43					Matured (part)	6/18/09	L	A	
45. --Comerica Bank MI CD 3.55% due 10/1/09					Matured	10/1/09	M	A	
46. --GE Money Bank CD 2.55% due 12/18/09					Matured	12/18/09	M	A	
47. --Homestreet Bank CD 4.05% due 2/12/10									
48. --BMW Bank NA UT CD 3.95% due 4/1/10									
49. --Investors Cmnty CD 3.75% due 5/24/10									
50. --U.S. Treasury TIPS 2% due 1/15/26									
51. --Vanguard S/T Investment Grade Fd									

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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 \$5,000,000	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	

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52. --Charter Bank Santa Fe CD 1.85% due 8/18/10					Buy	2/10/09	M		
53. --SPDR S&P 500 ETF Trust					Buy	2/17/09	K		
54. --Nestle SA Spons ADRs					Buy	4/3/09	K		
55. --Coca Cola Co.					Buy	4/15/09	K		
56. --McDonalds Corp.					Buy	4/15/09	K		
57. --See Line 56					Buy (add'l)	12/3/09	K		
58. --Vanguard Inter Term Corporate Bond Fd					Buy	4/15/09	L		
59. --Yum! Brands, Inc.					Buy	4/15/09	K		
60. --See Line #59					Sold	11/24/09	K	D	
61. --U.S. Treasury Bills 0% due 11/27/09					Buy	6/1/09	M		
62. --See Line 61					Matured	11/27/09	M	A	
63. --Bank of America CD .9% due 9/2/10					Buy	8/25/09	M		
64. --T. Rowe Price New Asia Fund #39					Buy	8/25/09	K		
65. --Wright Express Financial Services CD .6% due 10/15/10					Buy	9/29/09	M		
66. --Pepsico Inc.					Buy	11/24/09	K		
67. --Walmart Stores Inc.					Buy	11/24/09	K		
68. --Gold Coast Bank CD 1% due 4/11/11					Buy	11/25/09	L		

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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	
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				
	(1)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	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, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-H)	Identity of buyer/seller (if private transaction)
69. --GE Money Bank CD 6% due 12/30/10					Buy	12/21/09	M		
70. Life Insurance- Massachusetts Mutual Life Insurance		None	M	T					
71. Rental property, Rappahannock County, VA (\$/2/96 \$86,600)	C	Rent	L	R					

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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