

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) Hittner, David	2. Court or Organization United States District Court	3. Date of Report 04/28/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Senior Status	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 U. S. District Court 515 Rusk Street Room 8509 Houston, Texas 77002	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	Sam Houston Area Council/Boy Scouts of America
2. Director	South Texas Law Review
3.	
4.	
5.	

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 FINANCIAL
 DISCLOSURE OFFICE

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. 09/23/09	The West Group - Royalties on 5th Circuit Guide	\$4,438.31
2. 04/09/09	The West Group - Royalties on 5th Circuit Guide	\$967.56
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.				
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) 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)
1. BANK ACCOUNTS:									
2. Cash/Checking - JP Morgan Chase Bank, Houston, Texas	A	Interest	L	T					
3. IRA CD - JP Morgan Chase Bank, Houston, Texas	A	Interest	K	T					
4. Cash/Savings - JP Morgan Chase Bank, Houston, Texas	A	Interest	L	T					
5. Post Oak Bank - CD	C	Interest	L	T					
6. Community National Bank - CD	C	Interest	L	T					
7. LIFE INS/ANNUITIES:									
8. Mutual Trst Life Ins. Co/Oakbrook, IL	C	Interest	L	T					
9. INVESTMENTS:									
10. IMS SECURITIES INC:									
11. Federated Capital Reserves Money Market w/in Brokerage Acct.	C	Dividend	J	T					
12. WMT	A	Dividend	J	T					
13. PERSHING INVESTMENT:									
14. ACV	A	Dividend	J	T	Buy	06/24/09	J		
15. ASVIX	A	Dividend	J	T	Buy	06/24/09	J		
16. BAX	A	Dividend	K	T	Buy	6/24/09	K		
17. PGVFX	A	Dividend			Buy	01/01/09	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	
3. Value Method Codes (See Column C2)					

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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-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. PGVFX		None			Sold	06/16/09	J		
19. BRKB		None	J	T	Buy	06/24/09	J		
20. BERWX	A	Dividend	J	T	Buy	01/02/09	J		
21. BSX		None	J	T	Buy	06/24/09	J		
22. BIP		None	J	T	Buy	06/24/09	J		
23. CVX	A	Dividend	J	T	Buy	06/24/09	J		
24. CHH	A	Dividend	J	T	Buy	06/24/09	J		
25. CTAS		None	J	T	Buy	06/24/09	J		
26. EFA		None			Sold	01/01/09	J		
27. CFIMX	A	Dividend	J	T	Buy	01/02/09	J		
28. XO	A	Dividend	J	T	Buy	06/24/09	J		
29. COST	A	Dividend	J	T	Buy	06/24/09	J		
30. DMLP	A	Dividend	J	T	Buy	06/24/09	J		
31. EPE	A	Dividend	J	T	Buy	06/24/09	J		
32. ERIC		None	J	T	Buy	06/24/09	J		
33. GTEYX	A	Dividend	K	T	Buy	06/04/09	K		
34. HNZ	A	Dividend	J	T	Buy	06/24/09	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	
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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				
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35. HEW		None	J	T	Buy	06/24/09	J		
36. HPQ	A	Dividend	J	T	Buy	06/24/09	J		
37. IBM	A	Dividend	J	T	Buy	06/24/09	J		
38. HYG	A	Dividend			Buy	01/02/09	J		
39. HYG		None			Sold	05/18/09	K		
40. JNJ	A	Dividend	J	T	Buy	06/24/09	J		
41. KFT	A	Dividend	J	T	Buy	06/24/09	J		
42. KR	A	Dividend	J	T	Buy	06/24/09	J		
43. LSTR	A	Dividend	J	T	Buy	06/24/09	J		
44. LMT	A	Dividend	J	T	Buy	06/24/09	J		
45. LOW	A	Dividend	J	T	Buy	06/24/09	J		
46. EXWAX	A	Dividend	K	T	Buy	06/24/09	K		
47. MCD	A	Dividend	J	T	Buy	06/24/09	J		
48. MHS		None	J	T	Buy	06/24/09	J		
49. MSFT	A	Dividend	J	T	Buy	06/24/09	J		
50. NGPC	A	Dividend	J	T	Buy	06/24/09	J		
51. NHP	A	Dividend	J	T	Buy	06/24/09	J		

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52. NKE	A	Dividend	J	T	Buy	06/24/09	J		
53. NVS	A	Dividend	J	T	Buy	06/24/09	J		
54. ORCL	A	Dividend	J	T	Buy	06/24/09	J		
55. OMI	A	Dividend	J	T	Buy	06/24/09	J		
56. PAYX	A	Dividend	J	T	Buy	06/24/09	J		
57. PEP	A	Dividend	J	T	Buy	06/24/09	J		
58. PG	A	Dividend	J	T	Buy	06/24/09	J		
59. PGR		None	J	T	Buy	06/24/09	J		
60. EFZ		None			Buy	06/24/09	J		
61. EFZ		None			Sold	12/28/09	J		
62. MYY		None			Buy	05/18/09	J		
63. MYY		None			Sold	12/28/09	J		
64. SH		None			Buy	01/15/09	J		
65. SH		None			Sold	12/28/09	L		
66. QCOM	A	Dividend	J	T	Buy	06/24/09	J		
67. Q	A	Dividend	J	T	Buy	06/24/09	J		
68. RYN	A	Dividend	J	T	Buy	06/24/09	J		

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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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69. ROST	A	Dividend	J	T	Buy	06/24/09	J		
70. GLD	A	Dividend	J	T	Buy	06/24/09	J		
71. JNK	A	Dividend			Buy	01/01/09	J		
72. JNK		None			Sold	05/18/09	J		
73. RWM		None			Buy	01/15/09	J		
74. RWM		None			Sold	03/05/09	J		
75. STJ	A	Dividend	J	T	Buy	06/24/09	J		
76. HSIC		None	J	T	Buy	06/24/09	J		
77. SGM	A	Dividend	J	T	Buy	06/24/09	J		
78. SPLS	A	Dividend	J	T	Buy	06/24/09	J		
79. SRCL		None	J	T	Buy	06/24/09	J		
80. SY Y	A	Dividend	J	T	Buy	06/24/09	J		
81. TJX	A	Dividend	J	T	Buy	06/24/09	J		
82. MMM	A	Dividend	J	T	Buy	06/24/09	J		
83. UMBHX	A	Dividend	J	T	Buy	06/24/09	J		
84. VZ	A	Dividend	J	T	Buy	06/24/09	J		
85. WMT	A	Dividend	J	T	Buy	06/24/09	J		

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86. WMG	A	Dividend	J	T	Buy	06/24/09	J		
87. WU	A	Dividend	J	T	Buy	06/24/09	J		
88. YHOO		None	J	T	Buy	06/24/09	J		
89. YUM	A	Dividend	J	T	Buy	06/24/09	J		

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

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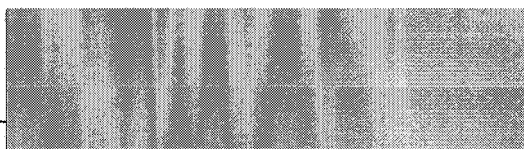
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IX. CERTIFICATION.

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