

FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2011

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) BERZON, MARSHA S.	2. Court or Organization U.S. CA. NINTH CIRCUIT	3. Date of Report 08/30/2012
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 01/01/2011 to 12/31/2011
7. Chambers or Office Address 95 SEVENTH STREET P.O. BOX 1939393 SAN FRANCISCO, CA 94119-3939		
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. Insert signature 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.	_____	_____
2.	_____	_____
3.	_____	_____
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. 9/9/2011	HARVARD UNIVERSITY, RADCLIFFE INSTITUTE FOR ADVANCED STUDY - TEACHING	\$1,000.00
2. 12/7/2011	NYU BRENNAN CENTER - TEACHING	\$500.00
3. 2011	UC HASTINGS COLLEGE OF THE LAW - TEACHING	\$3,060.00
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. 2011	SELF-EMPLOYED ATTORNEY
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.	UNIVERSITY OF SOUTHERN CALIFORNIA	3/4/2011 - 3/5/2011	LOS ANGELES, CA	EDUCATIONAL ACTIVITY	TRAVEL, LODGING, MEALS
2.	FORDHAM UNIVERSITY	3/24/2011 - 3/25/2011	NEW YORK, NY	PROFESSIONAL ASSOCIATION ACTIVITY	TRAVEL, LODGING, MEALS
3.	CENTRAL DISTRICT OF CALIFORNIA JUDICIAL CONFERENCE	4/1/2011 - 4/2/2011	ORANGE COUNTY, CA	PROFESSIONAL ASSOCIATION ACTIVITY	TRAVEL, LODGING, MEALS
4.	AMERICAN CONSTITUTION SOCIETY	6/16/2011 - 6/19/2011	WASHINGTON, DC	PROFESSIONAL ASSOCIATION ACTIVITY	TRAVEL, LODGING, MEALS

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5.	HARVARD UNIVERSITY	9/8/2011 - 9/11/2011	BOSTON, MA	EDUCATIONAL ACTIVITY	TRAVEL, LODGING, MEALS
6.	YALE UNIVERSITY	4/25/2011 - 4/27/2011	BOSTON, MA	EDUCATIONAL ACTIVITY	TRAVEL, LODGING, 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.)*

<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 OF AMERICA ACCOUNTS	A	Interest	M	T					
2. CITIBANK ACCOUNTS *3	C	Interest	O	T					
3. FIRST REPUBLIC BANK ACCOUNTS *3	D	Interest	O	T					
4. STERLING BANK & TRUST ACCOUNTS *3	D	Interest	N	T					
5. UNION BANK ACCOUNTS *3	D	Interest	N	T					
6. US BANK ACCOUNTS *3	D	Interest	O	T					
7. COCA COLA COMPANY - COMMON STOCK	B	Dividend	L	T					
8. COMCAST CORP NEW CL A - COMMON STOCK	A	Dividend	J	T					
9. CORNING INC - COMMON STOCK	B	Dividend	L	T					
10. FRONTIER COMMUNICATIONS (X)	A	Dividend	J	T					
11. LSI CORPORATION - COMMON STOCK		None	J	T					
12. NSTAR - COMMON STOCK	A	Dividend	J	T					
13. PEPSICO INCORPORATED - COMMON STOCK	A	Dividend	K	T					
14. PUB SVC ENT GROUP INC - COMMON STOCK	A	Dividend	J	T					
15. VERIZON COMMICATIONS - COMMON STOCK	A	Dividend	J	T					
16. VODAFONE GROUP NEW ADR F	A	Dividend	J	T					
17. DREYFUS ACTIVE MIDCAP FUND	A	Dividend	M	T					

1. Income Gain Codes:

(See Columns B1 and D4)

2. Value Codes

(See Columns C1 and D3)

3. Value Method Codes

(See Column C2)

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

Q=Appraisal

U=Book Value

B=\$1,001 - \$2,500

G=\$100,001 - \$1,000,000

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

O=\$500,001 - \$1,000,000

R=Cost (Real Estate Only)

V=Other

C=\$2,501 - \$5,000

I11=\$1,000,001 - \$5,000,000

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

P1=\$1,000,001 - \$5,000,000

P4=More than \$50,000,000

S=Assessment

W=Estimated

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

I12=More than \$5,000,000

M=\$100,001 - \$250,000

P2=\$5,000,001 - \$25,000,000

T=Cash Market

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

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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. DREYFUS APPRECIATION FUND	A	Dividend	K	T					
19. DREYFUS EMERGING LEADERS FUND *2	A	Dividend							
20. DREYFUS OPPORTUNISTIC (FORMERLY DREYFUS EMERG LEADERS FD) *2		None	L	T					
21. RS MID CAP OPPORTUNITIES FUND		None	O	T					
22. SCHWAB PREMIER EQUITY SELECT SHARES	A	Dividend	M	T					
23. SCHWAB CA MUNI MONEY FUND (SWEEP)	A	Dividend	L	T					
24. SCHWAB CA MUNI MONEY FUND (NON-SWEEP)	A	Dividend	L	T					
25. TANAKA GROWTH FUND CL R (FORMERLY EMBARCADERO ABS & MKT) *4		None	K	T					
26. FIDELITY CA AMT TAX FREE MMKT INST CLASS	B	Dividend	P1	T					
27. ACCOUNTRAX RETIREMENT ACCOUNT	E	Dividend	O	T					
28. -AMERICAN FUNDS FUNDAMENTAL INVESTORS									
29. -FIDELITY SPARTAN 500 INDEX FUND					Buy (add'l)	4/14/11	J		
30. -VANGUARD TARGET RETIREMENT INCOME FUND (INV)					Buy (add'l)	4/14/11	J		
31. -VANGUARD TARGET RETIREMENT 2015 FUND (INV)					Buy (add'l)	4/14/11	J		
32. -VANGUARD TARGET RETIREMENT 2025 FUND (INV)					Buy (add'l)	4/14/11	J		
33. IRA #1 ACCOUNT)	C	Dividend	M	T					

1. Income Gain Codes:

(See Columns B1 and D4)

2. Value Codes

(See Columns C1 and D3)

3. Value Method Codes

(See Column C2)

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

Q=Appraisal

U=Book Value

B=\$1,001 - \$2,500

G=\$100,001 - \$1,000,000

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

O=\$500,001 - \$1,000,000

R=Cost (Real Estate Only)

V=Other

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

S=Assessment

W=Estimated

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

H2=More than \$5,000,000

M=\$100,001 - \$250,000

P2=\$5,000,001 - \$25,000,000

T=Cash Market

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

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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) 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)
34. -AMCAP FUND - CLASS A									
35. -WASHINGTON MUTUAL INVESTORS FUND - CLASS A									
36. IRA #2	E	Dividend	P1	T					
37. -AMERICAN FUNDS - EUROPACIFIC GROWTH FUND - CL A									
38. -AMERICAN FUNDS - THE GROWTH FUND OF AMERICA - CL A									
39. -AMERICAN FUNDS - NEW PERSPECTIVE FUND - CL A									
40. -AMERICAN FUNDS - CAPITAL WORLD GROWTH AND INCOME FUND- CL A									
41. -AMERICAN FUNDS - FUNDAMENTAL INVESTORS - CL A									
42. -AMERICAN FUNDS - THE INVESTMENT COMPANY OF AMERICA - CL A									
43. -AMERICAN FUNDS - CAPITAL INCOME BUILDER - A									
44. -AMERICAN FUNDS - THE INCOME FUND OF AMERICA - CL A									
45. -AMERICAN FUNDS - AMERICAN BALANCED - CL A									
46. CAPITAL ACCOUNT IN LAW FIRM PARTNERSHIP *1	A	Interest	K	U					

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

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

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

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

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.)*

*1 THE EARNINGS REPORTED IN PART VII REPRESENT THE  DISTRIBUTIVE SHARE OF PARTNERSHIP INTEREST INCOME.

*2 DREYFUS EMERGING LEADERS MERGED WITH DREYFUS OPPORTUNISTIC ON 12/15/2011

*3 IN PRIOR YEARS, EACH ACCOUNT FROM THIS FINANCIAL INSTITUTION WAS LISTED SEPARATELY. IN ACCORDANCE WITH REPORT INSTRUCTIONS, INCOME AND VALUE AMOUNTS FOR INDIVIDUAL ACCOUNTS ARE NOW REPORTED IN THE AGGREGATE FOR EACH INSTITUTION.

*4 IN JANUARY 2011, AS A RESULT OF A RE-ORGANIZATION, ALL ASSETS OF BOTH "EMBARCADERO ABSOLUTE" AND "EMBARCADERO MARKET" WERE TRANSFERRED TO "TANAKA GROWTH FUND CL R".

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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: **s/ MARSHA S. BERZON**

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)

Committee on Financial Disclosure
Administrative Office of the United States Courts
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Washington, D.C. 20544