

# FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2011

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

|                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                          |                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <b>1. Person Reporting</b> (last name, first, middle initial)<br><br>Duncan, David K.                                                                                                                                            | <b>2. Court or Organization</b><br><br>District of Arizona                                                                                                                                                                                                                               | <b>3. Date of Report</b><br><br>05/10/2012                       |
| <b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)<br><br>Full-time Magistrate Judge                                                                           | <b>5a. Report Type</b> (check appropriate type)<br><input type="checkbox"/> Nomination <input type="checkbox"/> Date<br><input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final<br><b>5b.</b> <input type="checkbox"/> Amended Report | <b>6. Reporting Period</b><br><br>01/01/2011<br>to<br>12/31/2011 |
| <b>7. Chambers or Office Address</b><br><br>Sandra Day O'Connor U.S. Courthouse<br>401 W. Washington St., SPC-14<br>Phoenix, AZ 85003                                                                                            |                                                                                                                                                                                                                                                                                          |                                                                  |
| <p><b>IMPORTANT NOTES:</b> The instructions accompanying this form must be followed. Complete all parts, checking the <b>NONE</b> box for each part where you have no reportable information. Insert signature on last page.</p> |                                                                                                                                                                                                                                                                                          |                                                                  |

## I. POSITIONS. (Reporting individual only; see pp. 9-13 of filing instructions.)

☐ NONE (No reportable positions.)

POSITION

NAME OF ORGANIZATION/ENTITY

|                              |                   |
|------------------------------|-------------------|
| 1. training committee member | Arizona Town Hall |
| 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. 05/10/2010 | American Bar Association Section of Criminal Justice to produce for publication a guidebook on certain Sixth Amendment rights. |
| 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.)*

DATE

SOURCE AND TYPE

INCOME  
(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.)*

DATE

SOURCE AND TYPE

1. 2011

Maricopa County -- Salary

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.)*

SOURCE

DATES

LOCATION

PURPOSE

ITEMS PAID OR PROVIDED

1.

2. William and Mary College of  
Law

March 23-25, 2011

Williamsburg, VA

Participate in Law  
School's Sixth Amendment  
Seminars

Travel, Lodging, Meals

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.)*SOURCEDESCRIPTIONVALUE

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

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.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B.<br>Income during<br>reporting period |                                               | C.<br>Gross value at end<br>of reporting period |                                           | D.<br>Transactions during reporting period      |                         |                                 |                                |                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------|-------------------------------------------|-------------------------------------------------|-------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)<br>Amount<br>Code 1<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>mm/dd/yy | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |
| 1. Osborn Maledon, P.A. 401(k)                                                                                              | A                                       | Dividend                                      | M                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 2. -- American Funds Growth Fund of America                                                                                 |                                         | Dividend                                      |                                                 | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 3. -- American Funds Washington Mutual Investors                                                                            |                                         | Dividend                                      |                                                 | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 4. -- American Funds EuroPacific Growth                                                                                     |                                         | Dividend                                      |                                                 | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 5. -- Schwab Inst. Adv. Money Market                                                                                        |                                         | Dividend                                      |                                                 | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 6. -- American Funds Bond Fund of America                                                                                   |                                         | Dividend                                      |                                                 | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 7. -- American Funds Inc Fund of America                                                                                    |                                         | Dividend                                      |                                                 | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 8. -- Oak Value                                                                                                             |                                         | Dividend                                      |                                                 | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 9. Lewis & Roca, LLP 401(k) and Profit Sharing Plan                                                                         | A                                       | Dividend                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 10. -- Fidelity Growth Co.                                                                                                  |                                         | Dividend                                      |                                                 |                                           | Sold                                            | 10/31/11                | J                               | A                              |                                                                   |
| 11. -- Fidelity Inter Bond                                                                                                  |                                         | Dividend                                      |                                                 |                                           | Sold                                            | 10/31/11                | J                               | A                              |                                                                   |
| 12. -- PIMCO Real Retirement 2030 Fund                                                                                      |                                         | Dividend                                      |                                                 | T                                         | Buy                                             | 11/01/11                | J                               |                                |                                                                   |
| 13. Bryan Cave LLP Staff Profit Sharing Plan                                                                                | A                                       | Dividend                                      | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 14. -- Vanguard High-Yield Corporate Fund                                                                                   |                                         | Dividend                                      |                                                 | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 15. -- Vanguard 500 Index Fund Investors Shares                                                                             |                                         | Dividend                                      |                                                 | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 16. -- Vanguard Emerging Markets Stock Index Fund                                                                           |                                         | Dividend                                      |                                                 | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 17. -- Vanguard International Value Fund                                                                                    |                                         | Dividend                                      |                                                 | 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 - \$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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☐ NONE (No reportable income, assets, or transactions.)

| A.<br>Description of Assets<br>(including trust assets)<br><br>Place "(X)" after each asset<br>exempt from prior disclosure | B.<br>Income during<br>reporting period |                                               | C.<br>Gross value at end<br>of reporting period |                                           | D.<br>Transactions during reporting period      |                         |                                 |                                |                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------|-------------------------------------------------|-------------------------------------------|-------------------------------------------------|-------------------------|---------------------------------|--------------------------------|-------------------------------------------------------------------|
|                                                                                                                             | (1)<br>Amount<br>Code I<br>(A-H)        | (2)<br>Type (e.g.,<br>div., rent,<br>or int.) | (1)<br>Value<br>Code 2<br>(J-P)                 | (2)<br>Value<br>Method<br>Code 3<br>(Q-W) | (1)<br>Type (e.g.,<br>buy, sell,<br>redemption) | (2)<br>Date<br>mm/dd/yy | (3)<br>Value<br>Code 2<br>(J-P) | (4)<br>Gain<br>Code 1<br>(A-H) | (5)<br>Identity of<br>buyer/seller<br>(if private<br>transaction) |

|                                                                  |   |          |   |   |  |  |  |  |  |
|------------------------------------------------------------------|---|----------|---|---|--|--|--|--|--|
| 18. -- Vanguard LifeStrategy Growth Fund                         |   | Dividend |   | T |  |  |  |  |  |
| 19. -- Vanguard Strategic Equity Fund                            |   | Dividend |   | T |  |  |  |  |  |
| 20. -- Vanguard European Stock Index Fund                        |   | Dividend |   | T |  |  |  |  |  |
| 21. Wells Fargo Bank Accounts                                    | A | Interest | J | T |  |  |  |  |  |
| 22. General American Flexible Premium Variable Life              | A | Dividend | J | T |  |  |  |  |  |
| 23. -- MetLife Stock Index Portfolio                             |   | Dividend |   | T |  |  |  |  |  |
| 24. -- Morgan Stanley EAFE Index Portfolio                       |   | Dividend |   | T |  |  |  |  |  |
| 25. -- BlackRock Aggressive Growth Portfolio                     |   | Dividend |   | T |  |  |  |  |  |
| 26. -- Fidelity Variable Insurance Funds Equity Income Portfolio |   | Dividend |   | T |  |  |  |  |  |
| 27. -- Met Capital App                                           |   | Dividend |   | T |  |  |  |  |  |
| 28. -- MFS Research Int'l                                        |   | Dividend |   | T |  |  |  |  |  |
| 29. Northwestern Mutual Whole Life                               | A | Dividend | J | T |  |  |  |  |  |
| 30. Northwestern Mutual Whole Life                               | A | Dividend | J | T |  |  |  |  |  |
| 31. Northwestern Mutual Whole Life                               | C | Dividend | K | T |  |  |  |  |  |
| 32. First Federal Credit Union Bank Accounts                     | A | Interest | J | T |  |  |  |  |  |

|                                                  |                                                                                       |                                                        |                                                                                          |                                                              |                         |
|--------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------|
| 1. Income Gain Codes:<br>(See Columns B1 and D4) | A = \$1,000 or less<br>F = \$50,001 - \$100,000                                       | B = \$1,001 - \$2,500<br>G = \$100,001 - \$1,000,000   | C = \$2,501 - \$5,000<br>H1 = \$1,000,001 - \$5,000,000                                  | D = \$5,001 - \$15,000<br>H2 = More than \$5,000,000         | E = \$15,001 - \$50,000 |
| 2. Value Codes<br>(See Columns C1 and D3)        | J = \$15,000 or less<br>N = \$250,001 - \$500,000<br>P3 = \$25,000,001 - \$50,000,000 | K = \$15,001 - \$50,000<br>O = \$500,001 - \$1,000,000 | L = \$50,001 - \$100,000<br>P1 = \$1,000,001 - \$5,000,000<br>P4 = More than \$5,000,000 | M = \$100,001 - \$250,000<br>P2 = \$5,000,001 - \$25,000,000 |                         |
| 3. Value Method Codes<br>(See Column C2)         | Q = Appraisal<br>U = Book Value                                                       | R = Cost (Real Estate Only)<br>V = Other               | S = Assessment<br>W = Estimated                                                          | T = Cash Market                                              |                         |

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

Regarding Part II. Agreements: The May 10, 2010 ABA Standard Author Agreement provides for the four authors to receive royalties, if any, in an amount of 10% of the gross revenues to be divided among the four co-authors. The book was submitted to the publisher in May 2012.

Regarding Part VII Investments and Trusts, lines 10-12, the Lewis & Roca, LLP 401(k) and Profit Sharing Plan changed its account custodians and transferred all plan assets from Fidelity Investments to Marshall & Illsey on the dates indicated.

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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/ **David K. Duncan**

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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