

# FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2017

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>Bybee, Jay S.                                                                                                         | <b>2. Court or Organization</b><br><br>U.S. Court of Appeals, 9th Cir                                                                                                                                                                                                                               | <b>3. Date of Report</b><br><br>03/22/2019                       |
| <b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)<br><br>Circuit Judge (active)                                         | <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 checked="" type="checkbox"/> Amended Report | <b>6. Reporting Period</b><br><br>01/01/2017<br>to<br>12/31/2017 |
| <b>7. Chambers or Office Address</b><br><br>Lloyd D George U.S. Courthouse<br>333 Las Vegas Blvd. S., #7080<br>Las Vegas, NV 89101                                                         |                                                                                                                                                                                                                                                                                                     |                                                                  |
| <p><b>IMPORTANT NOTES:</b> The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information.</p> |                                                                                                                                                                                                                                                                                                     |                                                                  |

## 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. | Trustee                             | Trust #1                                                      |
| 2. | Senior Fellow in Constitutional Law | William S. Boyd School of Law, University of Nevada Las Vegas |
| 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. 1999     | VALIC, academic retirement program                                   |
| 2. 1999     | Contract with Greenwood Press as co-author for book (published 2006) |
| 3. 2005     | State of Nevada -- PERS, Voya Fixed Account                          |

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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><br>(yours, not spouse's) |
|-------------|---------------------------------------------------------------|----------------------------------------|
| 1. 2017     | William S. Boyd School of Law, University of Nevada Las Vegas | \$15,100.00                            |
| 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. 2017     | Clark County School District-salaried, full-time employee |
| 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. The Federalist Society | 1/27/2017-1/28/2017 | Simi Valley, CA | The Federalist Society<br>Annual Western Chapters<br>Conf. -- Panel Member | airfare, taxi fare, airport parking                    |
| 2. Brooklyn Law School    | 3/29/2017-4/4/2017  | Brooklyn, NY    | Jerome Prince Memorial<br>Evidence Competition --<br>Judge, Final Round    | airfare, lodging, meals, taxi fare, airport<br>parking |
| 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. | Nationstar      | Mortgage on rental property, Henderson, NV (Part VII, line 30) | L                 |
| 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. Bank of America (Accounts)                                                                                               | A                                       | Interest                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 2. Campus Federal Credit Union (Account)                                                                                    | A                                       | Interest                                      | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 3. American Funds MMA                                                                                                       | A                                       | Interest                                      | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 4. Southern California Edison Common Stock                                                                                  |                                         | None                                          | K                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 5. Fidelity Destiny IRA -- Fidelity Advisor<br>Diversified Stock Class O                                                    |                                         | None                                          | L                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 6. American Funds IRA -- Washington Mutual<br>Investors Fund-A                                                              |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 7. Acacia Life Insurance (whole life)                                                                                       |                                         | None                                          |                                                 |                                           | Expired                                         | 10/29/17                | J                               |                                |                                                                   |
| 8. American General Insurance (whole life)                                                                                  |                                         | None                                          | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 9. Equi-Vest Variable Annuity                                                                                               | A                                       | Interest                                      | J                                               | T                                         |                                                 |                         |                                 |                                |                                                                   |
| 10. --EQ/Black Rock Basic Value Equity                                                                                      |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 11. --EQ/T. Rowe Price Growth Stock                                                                                         |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 12. --Goldman Sachs VIT Mid Cap Value                                                                                       |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 13. --1290VT GAMCO Small Co Value                                                                                           |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 14. --Lazard Retirement Emg Mkts Equity                                                                                     |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 15. --MFS International Fund                                                                                                |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 16. --American Funds Insurance Srs Bnd                                                                                      |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |
| 17. --EQ/PIMCO Global Real Return                                                                                           |                                         |                                               |                                                 |                                           |                                                 |                         |                                 |                                |                                                                   |

|                         |                                  |                             |                                |                                 |                         |
|-------------------------|----------------------------------|-----------------------------|--------------------------------|---------------------------------|-------------------------|
| 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 |                         |
| 3. Value Method Codes   | P3 = \$25,000,001 - \$50,000,000 |                             | P4 = More than \$50,000,000    |                                 |                         |
| (See Column C2)         | Q = Appraisal                    | R = Cost (Real Estate Only) | S = Assessment                 | T = Cash Market                 |                         |
|                         | U = Book Value                   | V = Other                   | W = Estimated                  |                                 |                         |

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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) |

|                                       |   |           |   |   |  |  |  |  |                        |
|---------------------------------------|---|-----------|---|---|--|--|--|--|------------------------|
| 18. --Ivy VIP High Income             |   |           |   |   |  |  |  |  |                        |
| 19. --Invesco V.I. Global Real Estate |   |           |   |   |  |  |  |  |                        |
| 20. --Ivy VIP Energy                  |   |           |   |   |  |  |  |  |                        |
| 21. --Multimanager Technology         |   |           |   |   |  |  |  |  |                        |
| 22. --VanEck VIP Global Hard Assets   |   |           |   |   |  |  |  |  |                        |
| 23. -- Guaranteed Interest Account    |   |           |   |   |  |  |  |  |                        |
| 24. VALIC (retirement)                | E | Int./Div. | N | T |  |  |  |  | See note in Part VIII. |
| 25. --Mid Cap Value Fund              |   |           |   |   |  |  |  |  | See note in Part VIII. |
| 26. --Mid Cap Index Fund              |   |           |   |   |  |  |  |  | See note in Part VIII. |
| 27. --International Equities Fund     |   |           |   |   |  |  |  |  | See note in Part VIII. |
| 28. --Stock Index                     |   |           |   |   |  |  |  |  | See note in Part VIII. |
| 29. --Foreign Value Fund              |   |           |   |   |  |  |  |  | See note in Part VIII. |
| 30. --Socially Responsible Fund       |   |           |   |   |  |  |  |  | See note in Part VIII. |
| 31. --Fixed Account Plus              |   |           |   |   |  |  |  |  | See note in Part VIII. |
| 32. --Vanguard Windsor II             |   |           |   |   |  |  |  |  | See note in Part VIII. |
| 33. --Blue Chip Growth                |   |           |   |   |  |  |  |  | See note in Part VIII. |
| 34. --Global Real Estate Fund         |   |           |   |   |  |  |  |  | See note in Part VIII. |

|                                                  |                                                                                       |                                                        |                                                                                           |                                                              |                         |
|--------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------|
| 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 \$50,000,000 | 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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|                                                      |   |      |   |   |                |         |   |  |                               |
|------------------------------------------------------|---|------|---|---|----------------|---------|---|--|-------------------------------|
| 35. --Small Cap Value Fund                           |   |      |   |   |                |         |   |  | See note in Part VIII.        |
| 36. --Emerging Economies                             |   |      |   |   |                |         |   |  | See note in Part VIII.        |
| 37. --Invesco Balanced Risk Commodities              |   |      |   |   |                |         |   |  | See note in Part VIII.        |
| 38. --Dividend Value                                 |   |      |   |   |                |         |   |  | See note in Part VIII.        |
| 39. --International Opportunities                    |   |      |   |   |                |         |   |  | See note in Part VIII.        |
| 40. --Core Bond Fund                                 |   |      |   |   |                |         |   |  | See note in Part VIII.        |
| 41. --High Yield Bond Fund                           |   |      |   |   |                |         |   |  | See note in Part VIII.        |
| 42. --Inflation Protected Fund                       |   |      |   |   |                |         |   |  | See note in Part VIII.        |
| 43. --Short Term Fixed Account                       |   |      |   |   |                |         |   |  | See note in Part VIII.        |
| 44. Virginia Educational Savings Trust               |   | None | K | T |                |         |   |  |                               |
| 45. Rental Property, Henderson, NV                   | A | Rent | M | W |                |         |   |  |                               |
| 46. Newport Coast Villas, Newport, CA<br>(timeshare) |   | None | K | T | Buy<br>(add'l) | 5/30/17 | J |  | Robert B. Cullen, Sr.,<br>Tr. |

|                                                  |                                                                                       |                                                        |                                                                                           |                                                              |                         |
|--------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------|
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| 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.)*

Part I:

The reportable assets of Trust #1 are listed separately in Part VII.

Part II:

Line 3 was inadvertently omitted from prior reports

Part VII:

My VALIC account (line 24) consists of a VALIC rollover individual retirement account (IRA) and a traditional IRA.

Lines 25-43 are qualified (pre-tax) plans within my VALIC account (line 9). The qualified plans (lines 25-43) are added or removed by VALIC through a managed account that is not self-directed. I neither select nor control the assets to be purchased or sold, and I do not own the underlying assets. I report the assets that VALIC identifies as held in this account at the end of the year, understanding that these assets may differ from those reported in prior years. However, I do not include transaction information because I neither control nor select the assets to sell or buy.

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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/ Jay S. Bybee

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  
Suite 2-301  
One Columbus Circle, N.E.  
Washington, D.C. 20544