AO 10
Rev. 1/2008

# FINANCIAL DISCLOSURE REPORT
## FOR CALENDAR YEAR 2008

*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)<br>BRORBY, WADE | **2. Court or Organization**<br>Tenth Circuit | **3. Date of Report**<br>03/11/2009 |
| **4. Title** (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)<br>Circuit Judge - Senior | **5a. Report Type** (check appropriate type)<br>☐ Nomination, Date<br>☐ Initial ☑ Annual ☐ Final<br>**5b.** ☐ Amended Report | **6. Reporting Period**<br>01/01/2008<br>to<br>12/31/2008 |
| **7. Chambers or Office Address**<br>P.O. Box 1028<br>Cheyenne, WY 82003 | **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.**<br>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.)*

| POSITION | NAME OF ORGANIZATION/ENTITY |
|---|---|
| 1. Co-Trustee | Trust #1 |
| 2. | |
| 3. | |
| 4. | |
| 5. | |

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## II. AGREEMENTS. *(Reporting individual only; see pp. 14-16 of filing instructions.)*

☑ NONE *(No reportable agreements.)*

| DATE | PARTIES AND TERMS |
|---|---|
| 1. | |
| 2. | |
| 3. | |

| Name of Person Reporting | Date of Report |
|---|---|
| BRORBY, WADE | 03/11/2009 |

## 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. | 11/25/08 | Prudential Insurance - Policy Dividend - See Part VIII |
| 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. | | | | | |
| 3. | | | | | |
| 4. | | | | | |
| 5. | | | | | |

| Name of Person Reporting | Date of Report |
|---|---|
| **BRORBY, WADE** | 03/11/2009 |

## V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*

☑ NONE *(No reportable gifts.)*

| | SOURCE | DESCRIPTION | VALUE |
|---|---|---|---|
| 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.)*

| | CREDITOR | DESCRIPTION | VALUE CODE |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |

| Name of Person Reporting | Date of Report |
|---|---|
| BRORBY, WADE | 03/11/2009 |

## 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) | B. Income during reporting period | | C. Gross value at end of reporting period | | D. Transactions during reporting period | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Place "(X)" after each asset exempt from prior disclosure | (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 Month - Day | (3) Value Code 2 (J-P) | (4) Gain Code 1 (A-H) | (5) Identity of buyer/seller (if private transaction) |
| 1. IRA #1: | D | Int./Div. | N | T | | | | | |
| 2. --Acadian Emerging Markets Portfolio ( AEMGX) | | | | | Sold (part) | 11/28 | J | | |
| 3. --Artio Int'l Equity Fund (BJBIX)(formerly Julius Baer Fund) | | | | | Buy | 6/2 | K | | |
| 4. --BBH Real Return/Inflation Indexed Securi ties Fund (BBHIX) | | | | | Sold | 6/2 | J | | |
| 5. --Dodge & Cox Intl Stock Fund (DODFX) | | | | | | | | | |
| 6. --Exxon Mobil Corp. (stock) (XOM) | | | | | | | | | |
| 7. --Ishares TR Barclays Agg. Bond Fund (f ormerly Lehman) (AGG) | | | | | | | | | |
| 8. --Ishares Trust S & P 500 Index Fund (IVV) | | | | | | | | | |
| 9. --Johnson & Johnson (stock) (JNJ) | | | | | | | | | |
| 10. --Loomis Sayles Bond Fund (LSBRX) | | | | | | | | | |
| 11. --Manning & Napier World Oppty. (EXW AX) | | | | | Buy | 11/28 | J | | |
| 12. | | | | | Buy | 12/23 | J | | |
| 13. --Merrill Lynch 6.45% (MER+K) | | | | | | | | | |
| 14. --Morgan Stanley 6.6% Cap Trust (MSZ) | | | | | | | | | |
| 15. --Nuveen Multi Strat Incrm (JPC) | | | | | | | | | |
| 16. --Parnassus Equity Income Fund (PRBLX) | | | | | Buy | 11/28 | J | | |
| 17. | | | | | Buy | 12/23 | J | | |

| | | | | | |
|---|---|---|---|---|---|
| 1. Income Gain Codes: (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 (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 (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 | |

| Name of Person Reporting | Date of Report |
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| BRORBY, WADE | 03/11/2009 |

## 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) | B. Income during reporting period | | C. Gross value at end of reporting period | | D. Transactions during reporting period | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Place "(X)" after each asset exempt from prior disclosure | (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 Month - Day | (3) Value Code 2 (J-P) | (4) Gain Code 1 (A-H) | (5) Identity of buyer/seller (if private transaction) |
| 18. --Pimco Total Return Fund Class D (PTTD X) | | | | | | | | | |
| 19. --Royce TR Fund (RYTRX) | | | | | Buy | 6/2 | J | | |
| 20. | | | | | Buy | 11/28 | J | | |
| 21. --Schwab Cash Reserves (SWSXX) | | | | | Buy | 12/1 | J | | |
| 22. | | | | | Buy | 12/16 | J | | |
| 23. --Schwab Premier Equity Select (Investor) Shares (SWPSX) | | | | | Sold (part) | 6/2 | J | A | |
| 24. --Schwab Value Advantage Money Fund (SWVXX) | | | | | Buy | 6/3 | K | | |
| 25. | | | | | Sold | 11/28 | K | A | |
| 26. --Schwab Yield Plus Inv. Shares (SWYPX) | | | | | Sold | 3/3 | K | | |
| 27. --UMB Scout International Fund (UMBWX) | | | | | Buy | 6/2 | J | | |
| 28. --Value Line Emerging Oppty. Fund (VLEO X) | | | | | Buy | 6/2 | J | | |
| 29. | | | | | Buy | 11/28 | J | | |
| 30. | | | | | Buy | 12/23 | J | | |
| 31. TRUST #1: | | None | N | T | | | | | |
| 32. --Avonworth PA School Bond | | | | | | | | | |
| 33. --Bank of America Corp. (BAC) | | | | | | | | | |
| 34. --Black & Decker Corp. (BDK) | | | | | Sold | 6/2 | J | B | |

| | | | | | |
|---|---|---|---|---|---|
| 1. Income Gain Codes: (See Columns B1 and D4) | 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 |
| | 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 (See Columns C1 and D3) | J =$15,000 or less | K =$15,001 - $50,000 | L =$50,001 - $100,000 | M =$100,001 - $250,000 | |
| | 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 (See Column C2) | Q =Appraisal | R =Cost (Real Estate Only) | S =Assessment | T =Cash Market | |
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| Place "(X)" after each asset exempt from prior disclosure | (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 Month - Day | (3) Value Code 2 (J-P) | (4) Gain Code 1 (A-H) | (5) Identity of buyer/seller (if private transaction) |
| 35. --Davis NY Venture Fd (NYVTX) | | | | | Buy | 6/2 | K | | |
| 36. | | | | | Sold | 11/28 | K | | |
| 37. --Fidelity AZ Muni Income Fd. (FSAZK) | | | | | Buy | 6/2 | K | | |
| 38. --Great Southern Bank (CD) | | | | | Buy | 3/3 | K | | |
| 39. | | | | | Redeemed | 12/1 | K | | |
| 40. --Ishares TR Russell 2000 Index Fund (I WM) | | | | | Buy | 8/26 | J | | |
| 41. --Ishares Trust S& P 500 (IVV) | | | | | Buy | 12/16 | K | | |
| 42. --Janus Growth & Income Fund (JAGIX) | | | | | | | | | |
| 43. --Laudus U.S. Discovery Inv. (RDIVX) | | | | | Sold | 11/28 | J | | |
| 44. --Loomis Sayles Bond Fund CI R (LSBRX) | | | | | | | | | |
| 45. --Maricopa County AZ 3.25% Bond | | | | | | | | | |
| 46. --NB Socially Responsive (NBSRX) | | | | | Buy | 8/26 | K | | |
| 47. --Schwab Dividend Equity Select Shares (S WDSX) | | | | | Sold (part) | 6/3 | J | B | |
| 48. --Schwab Large Cap Growth Fund (SWLN X) | | | | | | | | | |
| 49. --Schwab Tax Free Yield Plus (SWYTX) | | | | | Sold | 3/3 | L | | |
| 50. --Schwab Muni Money Fund (SWTXX) | | | | | Sold (part) | 6/3 | K | | |
| 51. | | | | | Buy | 12/1 | K | | |

| | | | | | |
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| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| (UMBWX) | | | | | | | | | |
| (UMBWX) | | | | | | | | | |

| | | | | | |
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| 69. Clipper Fund | A | Dividend | J | T | | | | | |
| 70. Federal Homeowner Lending Mortgage | A | Interest | J | T | | | | | |
| 71. Federal Home Loan Bank (Notes) | B | Dividend | K | T | | | | | |
| 72. Federal National Mortgage | A | Interest | K | T | | | | | |
| 73. First National Bank of Gillette (Various B ank Accounts) | B | Interest | L | T | | | | | |
| 74. Jensen Portfolio (Fund) | A | Dividend | K | T | | | | | |
| 75. Key Bank (Deposit) | B | Interest | K | T | Open | 1/15 | K | | |
| 76. | | | | | Closed | 7/15 | K | B | |
| 77. Peoria, AZ (Bond) | A | Interest | K | T | | | | | |
| 78. Prudential Insurance Co. (Stock) | A | Dividend | J | T | | | | | |
| 79. Rainier Small/Mid Cap (Fund) | A | Dividend | J | T | | | | | |
| 80. Rainier Small/Mid Cap Equity Fund | A | Dividend | J | T | | | | | |
| 81. Rydex Technology Fund | A | Dividend | J | T | | | | | |
| 82. Wells Fargo (Various Bank Accounts) | A | Interest | L | T | | | | | |
| 83. Wyo. Bank & Trust (Various Accounts) | C | Interest | M | T | | | | | |

| | | | | | |
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| Name of Person Reporting | Date of Report |
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| BRORBY, WADE | 03/11/2009 |

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

1. Part III - [redacted] as trustee, owns a whole life policy insuring my life. The insurer is Prudential Insurance Company. As this policy is not held as an investment, the policy income received is reported under Part III.B (Non-Investment Income).

2. Part VII - Most of our investments are managed by Charles Schwab & Co. under a service described as Schwab Private Client.

3. Part VII - I list ownership of most of my assets under Aggregate Ownership Arrangements. All assets not owned under such an arrangement are listed separately.

4. Part VII - The funds designated with ** are merely holding funds. It should be noted that when income is received from a particular investment it is placed in one these Schwab "sweep" funds. When new investments are purchased, funds are taken from one of these funds to pay for the new investment. These funds are the (1) Schwab Muni Money Fund Sweep (SWXXX); and (2) Schwab Cash Reserves Sweep Fund (SWSXX).

5. Part VII - Where possible I have included the commonly known stock symbols and stock names.

6. Part VII - Artio International Equity Fund (BJBIX) was formerly known as Julius Baer International Equity Fund (BJBIX).

7. Part VII - Ishares TR Barclays Aggregate Bond Fund (AGG) was formerly known as Ishares TR Lehman Aggregate Bond Fund (AGG).

| Name of Person Reporting | Date of Report |
|---|---|
| BRORBY, WADE | 03/11/2009 |

## 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.**

**Signatur**[redacted]

**NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFI**[redacted]**L 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