

## FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2009

*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)  Montalvo, Frank	<b>2. Court or Organization</b>  W Dist. TX - El Paso Division	<b>3. Date of Report</b>  04/21/2010
<b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)  District Judge - Active	<b>5a. Report Type</b> (check appropriate type) <input type="checkbox"/> Nomination,                      Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final	<b>6. Reporting Period</b>  01/01/2009 to 12/31/2009
<b>7. Chambers or Office Address</b>  511 E. San Antonio Room 409 El Paso, Texas 79901	<b>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.</b>  Reviewing Officer _____ Date _____	
<b>IMPORTANT NOTES:</b> <i>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>		

**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.	INSTRUCTOR	UNIVERSITY OF TEXAS AT EL PASO
2.		
3.		
4.		
5.		

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**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.	2003	Bexar County, Texas - retirement pension begins at age 60
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. 2009	University of Texas at El Paso - Salary *(see Page 6 Explanation)	\$5,433.00
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. 2009	El Paso Community College - Salary **(see Page 6 Explanation)
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.	UT SCHOOL OF LAW	03/05/09- 03/08/2009	Austin, Texas	Attend as Speaker	Meal expenses were reimbursed; Lodging & transportation were paid directly by Source
2.	ABA Latin America Law Initiative Council, Rule of Law Initiative	04/18/2009-04/25/2009	Quito, Ecuador	Attend as Speaker	Meal expenses were reimbursed; Lodging & transportation were paid directly by Source
3.	LULAC National Convention	07/13/2009-07/18/2009	San Juan, Puerto Rico	Attend as Speaker	Lodging & transportation were paid directly by Source
4.	ABA and U.S. Department of State	12/07/2009-12/12/2009	Quito, Ecuador	Participate in working group - judicial reform	Meal expenses were reimbursed; Lodging & transportation were paid directly by Source

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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.	Thrift Savings Plan (TSP)	Loan - Paid Off in 2009	J
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 e d of reporting period		D. Transactions during re orting 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 C de 2 (J-P)	(4) Gain C de 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1.	IRA account [redacted] Fidelity Independence Fund IRA	A	Dividend	K	T					
2.	Gov't. Employees Cred. Union Accounts	A	Interest	K	T					
3.	Vanguard Tax-Managed SmCap Fund	A	Dividend	J	T					
4.										
5.										
6.										
7.										
8.										
9.										
10.										
11.										
12.										
13.										
14.										
15.										
16.										
17.										

<b>1. Income Gain Codes:</b> (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 H1 = \$1,000,001 - \$5,000,000	D = \$5,001 - \$15,000 H2 = More than \$5,000,000	E = \$15,001 - \$50,000
<b>2. Value Codes</b> (See Columns C1 and D3)	J = \$15,000 or less N = \$250,001 - \$500,000	K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	L = \$50,001 - \$100,000 P1 = \$1,000,001 - \$5,000,000	M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	P4 = More than \$50,000,000
<b>3. Value Method Codes</b> (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.)*

- \*Section III-A University of Texas at El Paso - salary income (\$6,667.00) was inadvertently omitted from the 2008 Financial Disclosure Report.
- \*\* Section III-B Spouse's El Paso Community College - income source was inadvertently omitted from the 2008 Financial Disclosure Report.

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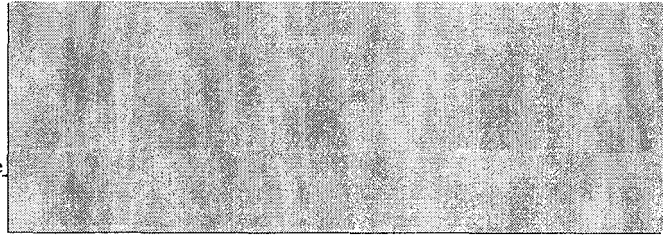
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**IX. CERTIFICATION.**

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