

**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) Fenner, Gary A.	<b>2. Court or Organization</b> Western District of Missouri	<b>3. Date of Report</b> 03/25/2010
<b>4. Title</b> (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) United States District Judge	<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>5b.</b> <input type="checkbox"/> Amended Report	<b>6. Reporting Period</b> 01/01/2009 to 12/31/2009
<b>7. Chambers or Office Address</b> 400 East Ninth Street Suite 8452 Kansas City, MO 64106	<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: _____	

**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.)*

	<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. 2009		Retirement benefits from the State of Missouri. I have no control in regard to this agreement.
2.		
3.		

**FINANCIAL DISCLOSURE REPORT**

Page 2 of 7

Name of Person Reporting

Fenner, Gary A.

Date of Report

03/25/2010

**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> <i>(yours, not spouse's)</i>
1. 2009	State of Missouri retirement	\$53,392.20
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	State of Missouri - salary of [ ] as Circuit Judge
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.				
2.				
3.				
4.				
5.				

**FINANCIAL DISCLOSURE REPORT**  
Page 3 of 7

Name of Person Reporting

Fenner, Gary A.

Date of Report

03/25/2010

**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. Herzog Contracting Corp.	transportation and lodging on fishing trip to Ontario, Canada	\$2,000.00
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.		

**FINANCIAL DISCLOSURE REPORT**

Page 4 of 7

Name of Person Reporting

Fenner, Gary A.

Date of Report

03/25/2010

**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. Level 3 Communications		None	J	T					
2. Bank of America accounts	C	Interest	M	T					
3. Capital One NA	B	Interest	L	T					
4. J.P. Morgan Chase f/k/a Bank One Corp. Common Stock	A	Dividend	K	T					
5. Bank Amerca Corp. Common Stock	B	Dividend	J	T					
6. Tronex, Inc.	A	Dividend	J	T					
7. Lord Abbett & Co. Affiliated Fund (Mutual)	A	Dividend	K	T					
8. Mattel, Inc. Common Stock	A	Dividend	J	T					
9. New Economy Fund (Mutual Fund)	A	Dividend	K	T					
10. Sunoco Common Stock	A	Dividend	J	T					
11. American Century Fund		None	K	T					
12. AMCAP Fund (Mutual Fund)		None	L	T					
13. Europacific Growth Fund (Mutual Fund)		None	K	T					
14. Investment Co. of America (Mutual Fund)		None	J	T					
15. New Perspective Fund (Mutual Fund)		None	K	T					
16. Amazon Com, Inc. Common Stock		None	J	T					
17. Ford Motor Co. Common Stock		None	J	T					

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 H1 = \$1,000,001 - \$5,000,000	D = \$5,001 - \$15,000 H2 = More than \$5,000,000	E = \$15,001 - \$50,000
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	

**FINANCIAL DISCLOSURE REPORT**  
Page 5 of 7

Name of Person Reporting <b>Fenner, Gary A.</b>	Date of Report <b>03/25/2010</b>
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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 (I-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. Citibank, Inc. Common Stock		None	J	T					
19. Pfizer, Inc. Common Stock	A	Dividend	J	T					
20. Waddell & Reed Advisors Science and Technology (Mutual Fund)	A	Dividend	J	T					
21. Waddell & Reed Advisors Bond C (Mutual Fund)	A	Dividend	J	T					
22. Waddell & Reed Advisors (Mutual Fund)	A	Dividend	J	T					
23. Bank Midwest Accounts	C	Interest	L	T					
24. Mass Mutual Financial Group Permanent Life Policy		None	K	T					
25. AXA Equitable Permanent Life Policy		None	J	T					

1. Income Gain Codes: (See Columns B1 and D4)	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	B = \$1,001 - \$2,500 G = \$100,001 - \$1,000,000 K = \$15,001 - \$50,000 O = \$500,001 - \$1,000,000	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	D = \$5,001 - \$15,000 I = More than \$5,000,000 M = \$100,001 - \$250,000 P2 = \$5,000,001 - \$25,000,000	E = \$15,001 - \$50,000
2. Value Codes (See Columns C1 and D3)	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.)*

In Part VII, Line 24, I reported a Permanent Life Policy with Mass Mutual Financial Group. I have held this policy since becoming a Federal District Judge in 1996. Unfortunately, I have overlooked this as an asset and failed to report it until this year.

In Part VII, Line 252, I reported a Permanent Life Policy with AXA Equitable. I have held this policy since becoming a Federal District Judge in 1996. Unfortunately, I have overlooked this as an asset and failed to report it until this year.

**FINANCIAL DISCLOSURE REPORT**

Page 7 of 7

Name of Person Reporting

Fenner, Gary A.

Date of Report

03/25/2010

**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

A rectangular area that has been redacted with a heavy grey stippled pattern, obscuring the signature of the reporting individual.

**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