

**FINANCIAL DISCLOSURE REPORT  
FOR CALENDAR YEAR 2010**

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

<b>1. Person Reporting (last name, first, middle initial)</b>  Bybee, Jay S.	<b>2. Court or Organization</b>  U.S. Court of Appeals, 9th Cir	<b>3. Date of Report</b>  09/07/2011
<b>4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)</b>  Circuit Judge (active)	<b>5a. Report Type (check appropriate type)</b> <input type="checkbox"/> Nomination,                      Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final <b>5b.</b> <input checked="" type="checkbox"/> Amended Report	<b>6. Reporting Period</b>  01/01/2010 to 12/31/2010
<b>7. Chambers or Office Address</b>  Lloyd D George U.S. Courthouse 333 Las Vegas Blvd. S., #7080 Las Vegas, NV 89101	<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: 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.</b>		

**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.		
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.		

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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.		
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. 2010	Clark County School District-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.)*

<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1. J. Reuben Clark Law Society, Los Angeles Chapter	12/07/2010	Brownstein Hyatt Farber Schreck, LLP	Luncheon, Talk	transportation, meal, parking
2.				
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.	Latham & Watkins, LLP	Legal Services	\$678,310.08
2.	The Wolf Group	Consulting Services	\$20,000.00
3.	Bybee Legal Expense Fund	Legal Expenses	\$20,012.00
4.	Davis, Polk & Wardwell LLP	Legal Services	\$5,350.00
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.	Bank of America	Mortgage on rental property, Henderson, NV (Part VII, line 31)	M
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 end of reporting period			D. Transactions during reporting period				
	(1)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)	
	Amount Code 1 (A-H)	Type (e.g., div., rent, or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g., buy, sell, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-H)	Identity of buyer/seller (if private transaction)	

1. Bank of America	A	Interest	J	T					
2. Campus Federal Credit Union	A	Interest	J	T					
3. American Funds MMA	A	Interest	K	T					
4. Southern California Edison Common Stock		None	J	T					
5. Fidelity Destiny IRA		None	K	T					
6. Washington Mutual IRA		None	J	T					
7. Acacia Life Insurance (whole life)		None	J	T					
8. American General Insurance		None	J	T					
9. VALIC (retirement)		None	M	T					See note in Part VIII.
10. --Mid Cap Value Fund									See note in Part VIII.
11. --Mid Cap Index Fund									See note in Part VIII.
12. --Small Cap Index Fund									See note in Part VIII.
13. --International Equities Fund									See note in Part VIII.
14. --International Small Cap Equity Fund									See note in Part VIII.
15. --Stock Index									See note in Part VIII.
16. --Large Cap Value Fund									See note in Part VIII.
17. --Foreign Value Fund									See note in Part VIII.

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

Q = Appraisal  
U = Book Value

B = \$1,001 - \$2,500

G = \$100,001 - \$1,000,000

K = \$15,001 - \$50,000

O = \$500,001 - \$1,000,000

R = Cost (Real Estate Only)

V = Other

C = \$2,501 - \$5,000

H1 = \$1,000,001 - \$5,000,000

L = \$50,001 - \$100,000

PI = \$1,000,001 - \$5,000,000

P4 = More than \$50,000,000

S = Assessment  
W = Estimated

D = \$5,001 - \$15,000

H2 = More than \$5,000,000

M = \$100,001 - \$250,000

P2 = \$5,000,001 - \$25,000,000

T = Cash Market

E = \$15,001 - \$50,000

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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)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	Amount Code 1 (A-H)	Type (e.g., div., rent, or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g., buy, sell, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-H)	Identity of buyer/seller (if private transaction)

18. --Socially Responsible Fund									See note in Part VIII.
19. --Fixed Account Plus									See note in Part VIII.
20. --Vanguard Windsor									See note in Part VIII.
21. --Blue Chip Growth									See note in Part VIII.
22. --Global Real Estate Fund									See note in Part VIII.
23. --Large Cap Core									See note in Part VIII.
24. --International Growth Fund I									See note in Part VIII.
25. --Small Cap Value Fund									See note in Part VIII.
26. --Mid Cap Growth Fund									See note in Part VIII.
27. --Global Social Awareness									See note in Part VIII.
28. Conseco Annuity	D	Distribution	J	T					
29. Buena Lanes (passive partnership)	A	Distribution	J	W					
30. Virginia Educational Savings Trust		None	K	T					
31. Rental Property, Henderson, NV	A	Rent	M	W					

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

Part I:

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

Part VII:

My VALIC account (line 10) consists of a VALIC rollover individual retirement account (IRA) and a traditional IRA.

Lines 11-27 are qualified (pre-tax) plans within my VALIC account (line 10). The qualified plans (lines 11-27) are added or removed by VALIC through a managed account. I have no control over the decisions to add or remove qualified plans; all such decisions are made by the account manager.

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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 WILFULLY 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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