AO 10
Rev. 1/2010

FINANCIAL DISCLOSURE REPORT
FOR CALENDAR YEAR 2009

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)	2. Court or Organization	3. Date of Report
Bye, Kermit E.	USCA - 8th Circuit	05/07/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)	**5a. Report Type** (check appropriate type)	**6. Reporting Period**
U.S. Circuit Judge -- Active	☐ Nomination, Date ☐ Initial ☑ Annual ☐ Final **5b.** ☐ Amended Report	01/01/2009 to 12/31/2009
7. Chambers or Office Address	**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.**	
Chambers 330 655 First Avenue North Fargo, ND 58102	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.	Member, Advisory Board	Central European and Eurasian Law Initiative/American Bar Association
2.		
3.		
4.		
5.		

RECEIVED
2010 MAY 12 A 9:43
DISCLOSURE OFFICE

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
Bye, Kermit E.	05/07/2010

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.)*

	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.		
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.	American Bar Association	Feb. 13-17	Boston, MA	ABA Midyear Meeting	Transportation and committee meetings
2.					
3.					
4.					
5.					

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.	USBank	First mortgage loan	N
2.	USBank	Second mortgage loan	L
3.	Wells Fargo Bank, N.A.	Real estate loan	K
4.	American Federal Bank	Real estate equity line of credit	J
5.			

Name of Person Reporting	Date of Report
Bye, Kermit E.	05/07/2010

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)	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 mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. USBank (Checking Account)	A	Interest	J	T					
2. USBank Elite Money Market Fund	A	Interest	J	T					
3. Charles Schwab Cash Balance	A	Interest	J	T					
4. Series "E" Savings Bonds	A	Interest	J	T					
5. T. Rowe Price Growth Fund, Inc.	C	Dividend	M	T					
6. Vanguard-Windsor Fund	A	Dividend	L	T					
7. Fidelity New Millennium Fund	A	Dividend	L	T					
8. Columbia Mid Cap Growth Fund	A	Dividend	K	T					
9. American Century Income and Growth Fund	A	Dividend	K	T					
10. Schwab Market Track High Growth Fund	A	Dividend	K	T					
11. Vanguard GNMA Portfolio	D	Dividend	L	T					
12. Vanguard Star Fund (IRA Account)	B	Dividend	L	T					
13. Vanguard Index 500	A	Dividend	J	T					
14. CUNA Mutual Life Insurance Company	C	Interest	J	U					
15. Indianapolis Life Insurance Company	B	Interest	J	U					
16. Franklin Life Insurance Company (Paid Up)	A	Interest	J	U					
17. Jackson Nat'l Life Ins Co	C	Interest	L	U					

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	
	U =Book Value	V =Other	W =Estimated		

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 mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. Farm Real Estate, Traill County, ND	D	Rent	M	W					
19. KCLWB Lim Part LLLP, Fargo, ND Appraisal: 1/29/09	G	Rent	P1	Q					
20. Condominium Rentals, Bismarck, ND	D	Rent	M	W					
21. Lake Cottage #1, Otter Tail County, MN AV: $386,300		None	N	S					
22. Lake Cottage #2, Otter Tail County, MN AV: $916,900		None	P1	S					
23. NDSBIC Limited Partnership (Limited Partner)	A	Dividend	K	W					
24. Wells Fargo Advantage Fund	A	Interest	J	T					
25. Price New America Growth Fund (IRA Account)	B	Dividend	L	T					
26. Vogel Law Firm Pension Trust (Keogh) (includes Dak REIT)	F	Dividend	N	W					
27. Vogel Law Firm Profit Sharing Plan Trust	A	Dividend	J	U					

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	
	U =Book Value	V =Other	W =Estimated		

Name of Person Reporting	Date of Report
Bye, Kermit E.	05/07/2010

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

Name of Person Reporting	Date of Report
Bye, Kermit E.	05/07/2010

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.

Signatur

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFI
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