

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

John H. Wood, Jr. United States Courthouse  
655 East Durango Boulevard  
San Antonio, Texas 78206

Chambers of  
Xavier Rodriguez  
Judge

Telephone  
(210) 472-6575

April 29, 2009

Hon. Bobby R. Baldock  
Chair, Committee on Financial Disclosure  
One Columbus Circle, N.E.  
Washington, D.C. 20544

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2009 MAY -5 A 10:49  
FINANCIAL  
DISCLOSURE OFFICE

Re: 2008 Annual Financial Disclosure Report

Dear Judge Baldock:

Thank you for your letter dated April 13, 2009. In that letter, the Committee noted that I had included Fidelity IRA Blue Chip Growth as an asset in 2007, but failed to indicate this asset in my 2008 report.

I have made an inquiry with Fidelity Investments and I have discovered that my 2008 report is accurate. Unfortunately, I write to correct my 2005, 2006 and 2007 reports.

My 2005 report indicates that I made a partial sale of Fidelity IRA Blue Chip Growth on December 6, 2005. Evidently, I sold all my Fidelity IRA Blue Chip Growth on December 6 & 7, 2005. Accordingly, entry 2 on Part VII of the 2005 report should read as follows:

- Fidelity IRA Blue Chip Growth
- Block C should be blank
- Block D1 should read sell (not partial sell)
- Block D2 should read 12/6 & 12/7
- Block D3 should read K (not J)
- Block D5 remains the same

I mistakenly failed to delete this asset from my personal income/net worth statement that I use in preparing the annual Financial Disclosure Reports. Accordingly, I inadvertently carried this asset. The reference to this asset in my 2006 and 2007 Financial Disclosure Reports should be deleted.

I trust this response satisfactorily answers the question posed in your April 13 letter and I thank the Committee for bringing this error to my attention. Please let me know if you have any additional questions.

Very truly yours,



Xavier Rodriguez  
U.S. District Judge

## FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2008

*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)  Rodriguez, Xavier	<b>2. Court or Organization</b>  Western District of Texas	<b>3. Date of Report</b>  03/6/2009
<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>  01/01/2008 to 12/31/2008
	<b>5b.</b> <input type="checkbox"/> Amended Report	
<b>7. Chambers or Office Address</b>  655 E. Durango Blvd. San Antonio, Texas 78206	<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. Board Member	San Antonio Bar Foundation
2. Board Member	Alamo Area Council, Boy Scouts of America
3. Board Member	Federal Bar Association, San Antonio Chapter
4. Board Member	Inns of Court, William S. Sessions Inn
5. Regent	Texas Lutheran University

**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.	
2.	
3.	

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**FINANCIAL DISCLOSURE REPORT**  
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Name of Person Reporting <b>Rodriguez, Xavier</b>	Date of Report 03/6/2009
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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. 2008	Univ. of Texas at San Antonio - teaching	\$3,000
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. 2008	Judson I.S.D. - Teacher
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. State Bar of Texas	January 16-18, 2008	Austin, Texas	Deliver CLE speech	mileage, meals and hotel
2. Federal Bar Assoc, South Texas Chapter	February 6 & 7, 2008	Laredo, Texas	Deliver CLE speech	mileage and hotel
3. State Bar of Texas	February 28 & 29, 2008	Austin, Texas	Attend State Bar Comm mtg	mileage and hotel
4. State Bar of Texas	May 12 & 13, 2008	Austin, Texas	Deliver CLE speech	mileage, meal and hotel
5. Univ. of Texas CLE	May 30 & 31, 2008	Austin, Texas	Deliver CLE speech	mileage and lunch
6. Tulane Univ.	September 19 & 20, 2008	Dallas, Texas	Attend CLE planning mtng	airfare, meals and hotel

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<b>Name of Person Reporting</b> Rodriguez, Xavier	<b>Date of Report</b> 03/6/2009
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7. State Bar of Texas	September 25 & 26, 2008	Austin, Texas	Attend State Bar Comm mtg	airfare and lunch
8. Austin Intellectual Property Law Section	November 7 & 8, 2008	Austin, Texas	Attend CLE program	meal and hotel
9. State Bar of Texas	December 17, 2008	Austin, Texas	Deliver CLE speech	mileage and meal

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Name of Person Reporting  
Rodriguez, Xavier

Date of Report  
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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. American Express	Credit Card	J
2.		
3.		
4.		
5.		

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Name of Person Reporting <b>Rodriguez, Xavier</b>	Date of Report <b>03/6/2009</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 (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. Fidelity IRA Baron Growth	A	Dividend	J	T					
2. Fidelity IRA Dividend Growth	A	Dividend			Sold	08-06	K	A	
3. Fidelity IRA Equity Income	A	Dividend	K	T					
4. Fidelity IRA Government Income	A	Dividend	J	T					
5. Fidelity IRA Low Priced Stock	A	Dividend	J	T					
6. Fidelity IRA Mid Cap Stock	A	Dividend	J	T					
7. Fidelity IRA Puritan	A	Dividend	J	T					
8. Fidelity IRA Intermediate Bond	A	Dividend	K	T	Sold (part)	08-06	K	A	
9. Fidelity IRA Oakmark Equity Income	A	Dividend	J	T					
10. Fidelity IRA Weitz Value	A	Dividend			Sold	08-07	K	A	
11. Frost National Bank Market Index	A	Interest	K	T					
12. Frost National Bank	A	Interest	K	T					
13. American Balanced Fund	A	Dividend	K	T					
14. American Balanced Fund - 529	A	Dividend	L	T					
15. Fidelity IRA FBALX	A	Dividend	K	T					
16. Fidelity IRA Int'l Discovery	A	Dividend	J	T					
17. Fidelity IRA Contrafund	A	Dividend	K	T	Buy (add'l)	08-06	K		

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	

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Name of Person Reporting <b>Rodriguez, Xavier</b>	Date of Report 03/6/2009
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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 (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. Fidelity IRA Quantitative Emerging Markets	A	Dividend	J	T					
19. Teacher Retirement System of Texas	A	Dividend	J	T					
20. Firstmark	A	Interest	J	T					
21. Royalty Interest, Lavaca County, Texas	A	Royalty	J	T					
22. Fidelity IRA Leveraged Co. Stock (X)	A	Dividend	J	T	Buy	08-08	K		
23. Fidelity IRA Strategic Income (X)	A	Dividend	K	T	Buy	08-06	K		

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	

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Name of Person Reporting Rodriguez, Xavier	Date of Report 03/6/2009
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**VIII. ADDITIONAL INFORMATION OR EXPLANATIONS.** *(Indicate part of Report.)*



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Name of Person Reporting

Rodriguez, Xavier

Date of Report

03/6/2009

**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.

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