

# FINANCIAL DISCLOSURE REPORT FOR CALENDAR YEAR 2005

1. Person Reporting (last name, first, middle initial) <b>BERZON, MARSHA S</b>	2. Court or Organization <b>U.S.C.A. - NINTH CIRCUIT</b>	3. Date of Report <b>04/20/2006</b>
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) <b>U.S. CIRCUIT JUDGE - ACTIVE</b>	5a. Report Type (check appropriate type) <input type="checkbox"/> Nomination,                      Date <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final	6. Reporting Period <b>01/01/2005</b> to <b>12/31/2005</b>
7. Chambers or Office Address <b>95 SEVENTH STREET P.O. BOX 193939 SAN FRANCISCO, CA 94119-3939</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.  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 instructions.)

NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1.	_____
2.	_____
3.	_____
4.	_____
5.	_____

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### II. AGREEMENTS. (Reporting individual only; see pp. 14-16 of instructions.)

NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1.	_____
2.	_____
3.	_____

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**III. NON-INVESTMENT INCOME.** (Reporting individual and spouse; see pp. 17-24 of 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.		
5.		

**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. 2005	SELF-EMPLOYED ATTORNEY
2.	
3.	
4.	
5.	

**IV. REIMBURSEMENTS** -- transportation, lodging, food, entertainment.

(Includes those to spouse and dependent children. See pp. 25-27 of instructions.)

NONE (No reportable reimbursements.)

<u>SOURCE</u>	<u>DESCRIPTION</u>
1. CORNELL UNIVERSITY	2/18-2/20/05 - ITHACA, NEW YORK PROFESSIONAL ASSOCIATION ACTIVITY (TRAVEL, LODGING, MEALS)
2. U.C. DAVIS	4/16/05 - DAVIS, CALIFORNIA UCD SCHOOL OF LAW COMPETITION (TRAVEL, MEALS)
3. AMERICAN CONSTITUTION SOCIETY	7/28-7/31/05 - WASHINGTON, D.C. PROFESSIONAL ASSOCIATION ACTIVITY (TRAVEL, LODGING, MEALS)
4.	
5.	

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**V. GIFTS.** *(Includes those to spouse and dependent children. See pp. 28-31 of 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. 32-34 of instructions.)*

NONE *(No reportable liabilities.)*

	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1.			
2.			
3.			
4.			
5.			

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**VII. INVESTMENTS and TRUSTS** – income, value, transactions (includes those of the spouse and dependent children. See pp. 34-57 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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identify of buyer/seller (if private transaction)
1. BANK OF AMERICA ACCOUNT	A	Interest	K	T					
2. AT & T NEW COMMON STOCK (FKA SBC COMM)		None	K	T					*4
3. COCA-COLA COMMON STOCK	A	Dividend	K	T					
4. COMCAST CORP. NEW CL A COMMON STOCK		None	J	T					
5. PEPSICO COMMON STOCK	A	Dividend	K	T					
6. LSI LOGIC CORP COMMON STOCK		None	J	T					
7. LUCENT TECHNOLOGIES INC COMMON STOCK		None	J	T					
8. SOURCE INTERLINK COMPANY COMMON STOCK		None	L	T					
9. CORNING COMMON STOCK		None	M	T					
10. BELLSOUTH CORPORATION COMMON STOCK	A	Dividend	J	T					
11. KEYSpan CORPORATION COMMON STOCK	A	Dividend	J	T					
12. NStar COMMON STOCK	A	Dividend	J	T					
13. PUBLIC SVC ENT GROUP COMMON STOCK	A	Dividend	J	T					
14. SBC COMMUNICATIONS INC. COMMON STOCK	A	Dividend							*4
15. VERIZON COMMUNICATIONS COMMON STOCK	A	Dividend	J	T					
16. VODAFONE GROUP COMMON STOCK	A	Dividend	J	T					
17. SCHWAB PREMIER EQUITY	A	Dividend	M	T	BUY	3/18	L		

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	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	
3. Value Method Codes (See Column C2)	P3 = \$25,000,001 - \$50,000,000 Q = Appraisal U = Book Value	R = Cost (Real Estate Only) V = Other	P4 = More than \$50,000,000 S = Assessment W = Estimated	T = Cash Market	

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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, merger, redemption)	If not exempt from disclosure			
						(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. DREYFUS APPRECIATION FUND	A	Dividend	K	T					
19. DREYFUS EMERGING LEADERS FUND	D	Dividend	L	T					
20. DREYFUS PREMIER NEW LEADERS FUND	D	Dividend	M	T					
21. RS MIDCAP OPPORTUNITIES FUND		None	N	T					
22. VAN WAGONER EMERGING GROWTH FUND		None	J	T					
23. VAN WAGONER SMALL CAP GROWTH FUND		None	K	T					
24. SCHWAB CA MUNI MONEY FUND VALUE ADVANTAGE SHARES	B	Dividend	L	T					
25. SCHWAB CA MUNI MONEY MARKET FUND	A	Dividend	J	T					
26. FIDELITY SPARTAN CALIFORNIA MUNI MONEY FUND	F	Dividend	P1	T					
27. AIM AGGRESSIVE GROWTH FUND CL A (PSP)		None	K	T					
28. AIM BLUE CHIP FUND CL A (PSP)	A	Dividend	K	T					
29. AIM CHARTER FUND CL A (PSP)	A	Dividend	L	T					
30. AIM CONSTELLATION FUND CL A (PSP)		None	L	T					
31. AIM PREMIER EQUITY FUND CL A (PSP)	A	Dividend	K	T					
32. AIM WEINGARTEN FUND CL A (PSP)		None	L	T					
33. AMER. FUNDS WASH MUTUAL DIV FUND CL A (IRA)	D	Dividend	M	T					
34. AMER. FUNDS GROWTH FUND OF	A	Dividend	K	T					

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2. Value Codes (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
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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, merger, redemption)	If not exempt from disclosure			
						(2) Date Month - Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
AMERICA -A (PSRP) [REDACTED]									
35. AMERICAN FUNDS NEW ECONOMONY FUND -A(PSRP) [REDACTED]	A	Dividend	K	T					
36. AMERICAN FUNDS NEW PERSPECTIVE FUND A(PSRP) [REDACTED]	B	Dividend	K	T					
37. AMERICAN FUNDS FUNDAMENTAL INVESTORS-A(PSRP) [REDACTED]	A	Dividend	K	T					
38. AMERICAN FUNDS INVEST CO OF AMERICA (PSRP) [REDACTED]	A	Dividend	J	T					
39. AMERICAN FUNDS WASH MUTUAL INV FUND- A (PSRP) [REDACTED]	B	Dividend	K	T					
40. AMERICAN FUNDS CASH MGT TR OF AMERICA-A (PSRP) [REDACTED]	C	Dividend	M	T					
41. AMERICAN FUNDS EUROPACIFIC GROWTH FUND-A (IRA R/O)	D	Dividend	M	T					
42. AMERICAN FUNDS NEW PERSPECTIVE FUND-A(IRA R/O)	A	Dividend	J	T					
43. AMERICAN FUNDS FUNDAMENTAL INVESTORS-A (IRA R/O)	A	Dividend	K	T					
44. AMERICAN FUNDS INVESTMENT COMPANY OF AMERICA -A (IRA R/O)	E	Dividend	O	T					
45. AMERICAN FUNDS CASH MANAGEMENT TRUST OF AMERICA-A (IRA R/O)	B	Dividend	L	T					
46. [REDACTED] CAPITAL ACCOUNT IN LAW FIRM PARTNERSHIP *1	D	Interest	J	U					
47. TRUST #1									*2
48. -BANK ACCOUNTS AND BONDS (OVER 5,000 LISTED BELOW)	E	Interest							
49. --BANK OF AMERICA STANDARD CHECKING					DISTRIBUTED	3/30	O		*2

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	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
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50. --BANK OF AMERICA INVESTMENT CD					CLOSED	3/28	N		
51. --BANK UNITED 2 CDs					CLOSED	1/7	M		
52. --WASHINGTON MUTUAL CD					CLOSED	1/4	M		
53. --WORLD SAVINGS CD					CLOSED	1/4	K		
54. --U.S. SAVINGS BONDS					DISTRIBUTED	2/4	L		*2
55. U.S. SAVINGS BONDS					RCVD DISTR.	2/4	K		*3
56. U.S. SAVINGS BONDS	E	Interest			REDEEMED	2/4	K		*3
57. U.S. SAVINGS BONDS	D	Interest			REDEEMED	2/16	J		*3

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

\*1 [REDACTED] EARNINGS FROM THE LAW FIRM HAVE BEEN APPROPRIATELY DISCLOSED IN PART III OF THE CURRENT YEAR REPORT. THE EARNINGS REPORTED IN PART VII REPRESENT ONLY THE [REDACTED] DISTRIBUTIVE SHARE OF PARTNERSHIP INTEREST INCOME.

\*2 UPON THE DEATH OF THE FILER'S [REDACTED] BECAME THE SUCCESSOR CO-TRUSTEE OF THE LIVING TRUST. [REDACTED] HAD AN INCOME AND REMAINDER INTEREST IN THE TRUST. IN 2005, SAVINGS BONDS WERE DISTRIBUTED TO SPECIFIC BENEFICIARIES. ALL REMAINING BANK ACCOUNTS AND CERTIFICATES OF DEPOSIT HELD BY THE LIVING TRUST WERE CLOSED. SPECIFIC BEQUESTS WERE PAID, AND THE RESIDUAL WAS DISTRIBUTED TO THE REMAINDER BENEFICIARIES, INCLUDING [REDACTED]

\*3 U.S. SAVINGS BONDS FROM THE LIVING TRUST WERE REDEEMED IN THE CURRENT YEAR. ACCRUED INTEREST EARNED ON PRIOR BONDS WAS DEFERRED BY [REDACTED]. THEREFORE, THE REPORTED INTEREST EARNED ON SAVINGS BONDS INCLUDES INTEREST PREVIOUSLY DEFERRED.

\*4 SBC COMMUNICATIONS ACQUIRED AT&T AS OF 11/18/05 AND CHANGED ITS NAME TO AT&T, INC.



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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



Date

4.20.06

**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