

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
167 NORTH MAIN STREET
MEMPHIS, TENNESSEE 38103

BERNICE B. DONALD
JUDGE

January 5, 2011

The Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Leahy:

I have reviewed the Senate Questionnaire I previously filed in connection with my December 1, 2010 nomination to be United States Circuit Judge for the Sixth Circuit. Incorporating the additional information below, I certify that the information contained in my prior submissions is, to the best of my knowledge, true and accurate.

- The order that was subject to appeal in Sec'y of Labor v. 3re.com, No. 01-02350 (W.D. 2001), rev'd, 317 F.3d 534 (6th Cir. 2003), under question 13(f) was authored by, and is the case of Judge Jon McCalla. The case and order were mistakenly added to my list of reversals. (Question 13f)
- On December 17, 2010, I administered the oath of office to the incoming U.S. Attorney, Ed Stanton, and gave brief remarks congratulating him and recognizing his family.
- On January 5 and January 11, 2011, I am scheduled to give a lecture to Northside High School students on life skills. The lecture will discuss oral and written communication skills, image, and the need to prepare for future career goals.
- I have been selected to receive an award from the University of Memphis on February 1, 2011. I will make brief remarks accepting the award. (Questions 8 & 12d)
- I have been selected to receive the "Spirit of Excellence Award" from the American Bar Association at a luncheon on February 12, 2011. I will make brief remarks accepting the award. (Question 8 & 12d)

Sincerely,



Bernice B. Donald
U.S. District Court Judge

cc:

The Honorable Charles Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

FINANCIAL DISCLOSURE REPORT
NOMINATION FILINGReport Required by the Ethics
in Government Act of 1978
(5 U.S.C. app. §§ 101-111)

1. Person Reporting (last name, first, middle initial) Donald, Bernice B.	2. Court or Organization U.S. Court of Appeals for the Sixth Circuit	3. Date of Report 1/5/2011
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Circuit Judge	5a. Report Type (check appropriate type) ☒ Nomination, Date 1/5/2011 ☐ Initial ☐ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2010 to 1/4/2011
7. Chambers or Office Address 167 N. Main Street, #951 Memphis, TN 38103	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 filing instructions.)☐ NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Secretary	American Bar Association
2. Member, Advisory Committee - Justice Prize	Peter and Patricia Gruber Foundation
3. Vice-President	American Bar Foundation
4. Board Member	American Bar Journal Magazine
5. Board Member	Stax Museum
6. Director	University of Memphis Law Alumni Association

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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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. 2010	Peter and Patricia Gruber Foundation	\$2,500.00
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.	
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. Exempt				
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. Exempt		
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.		

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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 mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)

1. First Horizon	A	Dividend	J	T	Exempt				
2. Proctor and Gamble	D	Dividend	J	T					
3. Reynolds American Inc	C	Dividend	J	T					
4. Ford Motor Company	B	Dividend	J	T					
5. Pioneer Cash Reserve	C	Dividend	J	T					
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									
16.									
17.									

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 H2 = 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.)*

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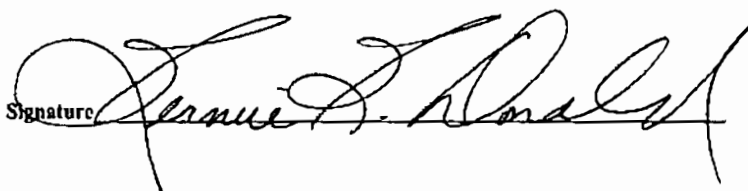
1/5/2011

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

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks		79	374	Notes payable to banks-secured		14	172
U.S. Government securities-Series EE bonds		110	000	Notes payable to banks-unsecured			
Listed securities - see schedule		22	630	Notes payable to relatives			
Unlisted securities				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due			
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable-see schedule			
Real estate owned - see schedule		805	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		225	000	Credit card		7	116
Cash value-life insurance		150	000				
Other assets itemize:							
Certificates of Deposit		35	294				
Thrift Savings Account		250	478				
				Total liabilities		21	288
				Net Worth	1	656	488
Total Assets	1	677	776	Total liabilities and net worth	1	677	776
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged?	NO		
On leases or contracts				Are you defendant in any suits or legal actions?	NO		
Legal Claims				Have you ever taken bankruptcy?	NO		
Provision for Federal Income Tax							
Other special debt							

FINANCIAL STATEMENT

NET WORTH SCHEDULES

Listed Securities

Ford Motor Company	\$ 2,448
First Horizon	2,601
Reynolds American Inc.	3,919
Proctor and Gamble	10,494
Pioneer Cash Reserve	3,168
Total Listed Securities	<u>\$ 22,630</u>

Real Estate Owned

Personal residence	\$ 600,000
50 Acre farm land	200,000
Vacant lot	5,000
Total Real Estate Owned	<u>\$ 805,000</u>