

Cameron F. Kerry

General Counsel, Department of Commerce

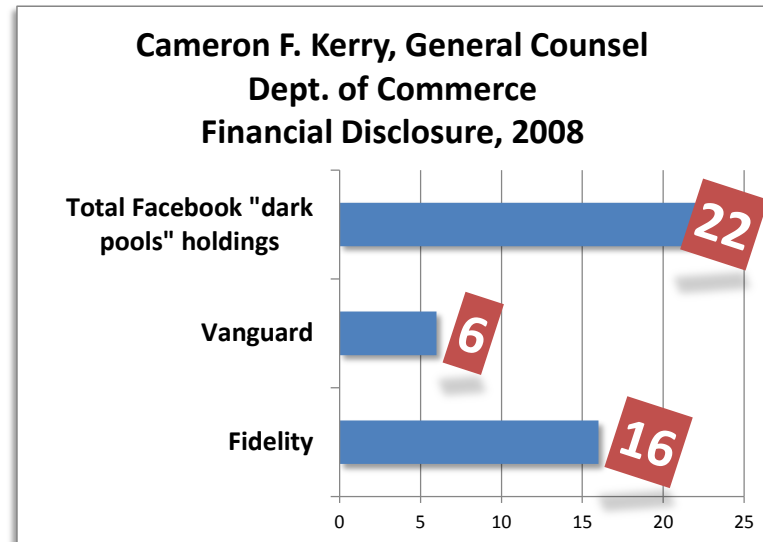
OGE Form 278 Financial Report

April 16, 2009

Summary of Facebook "dark pools" holdings

No.	Fund	#	Amount
1	Fidelity Intermediate Muni Income	1	\$ 250,000
2	Fidelity Blue Chip Growth (FBGRX)	1	15,000
3	Fidelity Capital and Income, Dwyer & Collora 401K	1	50,000
4	Fidelity Contrafund, Mintz Levin Law Firm 401K	1	100,000
5	Fidelity Diversified International, Dwyer & Collora 401K	1	50,000
6	Fidelity Equity Income	1	15,000
7	Fidelity Growth & Income	1	15,000
8	Fidelity Low Priced Stock	1	50,000
9	Fidelity M Municipal MM (FDMXX)	1	15,000
10	Fidelity MA Muni Income	1	100,000
11	Fidelity MA Muni Money Market	1	15,000
12	Fidelity Muni Money Market	1	1,000
13	Fidelity Puritan (FPURX)	1	100,000
14	Fidelity Spartan U. Equity Index, Dwyer & Collora 401K	1	100,000
15	Fidelity US Bond Index, Dwyer & Collora 401K	1	250,000
16	Fidelity US Government Reserves	1	250,000
17	Vanguard Growth Income	1	50,000
18	Vanguard Inf. Protected Secs. Adm, Mintz Levin Law Firm 401K	1	250,000
19	Vanguard Intermediate Tax-Exempt Adm	1	250,000
20	Vanguard Primecap Admiral	1	100,000
21	Vanguard Wellesley Income	1	50,000
22	Vanguard Windsor PIO	1	100,000
		22	\$ 2,176,000

Fund	No.	Amt.
Fidelity	16	\$ 1,376,000
Vanguard	6	800,000
Total Facebook "dark pools" holdings	22	\$ 2,176,000



The Wall Street Journal, Aug. 24, 2012

Reported Fidelity Funds holding stock directly in Facebook (in addition to Fidelity common funds):

Fidelity Blue Chip Growth, FBGRX

Fidelity Contrafund, FCONTX

Fidelity Puritan, FPURX

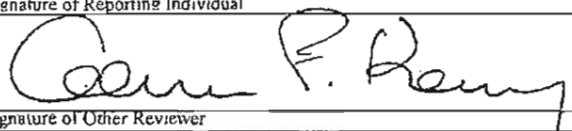
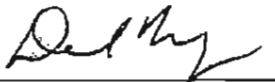
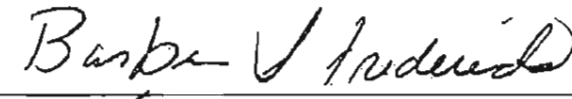
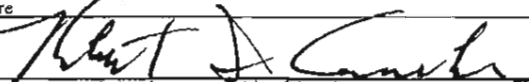
\$	52,756,536
	413,476,551
	55,199,385
\$	521,432,472

"Fidelity's Danoff Bets on Facebook" by Miles Weiss, Bloomberg, Jun. 1, 2011.

"Who Else Has A Big Bet on Facebook" by Telis Demos WSJ Aug. 24 2012

"Morgan Stanley Funds in Big Bet Facebook Bet" by Aaron Lucchetti and Telis Demos WSJ Aug. 24 2012

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Date of Appointment, Candidacy, Election or Nomination (Month, Day, Year)	Reporting Status (Check appropriate boxes)	<input type="checkbox"/> Incumbent	Calendar Year Covered by Report	<input checked="" type="checkbox"/> New Entrant, Nominee, or Candidate	<input type="checkbox"/> Termination Filer	Termination Date (If Applicable) (Month, Day, Year)	<p style="text-align: center;">Fee for Late Filing</p> <p>Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a \$200 fee.</p> <p style="text-align: center;">Reporting Periods</p> <p>Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.</p> <p>Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.</p> <p>Nominees, New Entrants and Candidates for President and Vice President:</p> <p>Schedule A—The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.</p> <p>Schedule B—Not applicable.</p> <p>Schedule C, Part I (Liabilities)—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.</p> <p>Schedule C, Part II (Agreements or Arrangements)—Show any agreements or arrangements as of the date of filing.</p> <p>Schedule D—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.</p>
Reporting Individual's Name		Last Name Kerry		First Name and Middle Initial Cameron F.			
Position for Which Filing		Title of Position General Counsel		Department or Agency (If Applicable) Department of Commerce			
Location of Present Office or forwarding address)		Address (Number, Street, City, State, and ZIP Code) One Financial Center, Boston, MA 02111			Telephone No. (Include Area Code) 617-348-1671		
Position(s) Held with the Federal Government During the Preceding 2 Months (If Not Same as Above)		Title of Position(s) and Date(s) Held None					
Presidential Nominees Subject to Senate Confirmation		Name of Congressional Committee Considering Nomination Commerce, Science & Transportation		Do You Intend to Create a Qualified Diversified Trust? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Certification CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.		Signature of Reporting Individual 			Date (Month, Day, Year) April 16, 2009		
Other Review (If desired by agency)		Signature of Other Reviewer 			Date (Month, Day, Year) 4/20/2009		
Agency Ethics Official's Opinion On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).		Signature of Designated Agency Ethics Official/Reviewing Official 			Date (Month, Day, Year) 4/20/09		
Office of Government Ethics Use Only		Signature 			Date (Month, Day, Year) 4/20/09		
Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)							
(Check box if filing extension granted & indicate number of days _____) <input type="checkbox"/>							
(Check box if comments are continued on the reverse side) <input type="checkbox"/>							
Agency Use Only							
OGE Use Only							

Reporting Individual's Name

SCHEDULE A continued

Page Number

Cameron F. Kerry

13

(Use only if needed)

BLOCK A	BLOCK B											BLOCK C																						
	Valuation of Assets at close of reporting period											Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																						
None <input type="checkbox"/>	None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000 *	\$1,000,001 - \$ 5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.)	Only if Honoraria	
				x									x						x															
1	(S) as Trustee of Joseph Weinman Living Trust Fidelity Puritan												x							x														
2	(S) as Trustee of Joseph Weinman Living Trust Fidelity Growth & Income	x											x							x														
3	(S) as Trustee of Joseph Weinman Living Trust Fidelity Blue Chip Growth	x											x							x														
4	(S) as Trustee of Joseph Weinman Living Trust Fidelity MI Municipal MDW	x											x							x														
5	(S) as Trustee of Joseph Weinman Living Trust Comerica Bank checking	x																		x														
6	(S) as Trustee of Joseph Weinman Living Trust Condominium, Farmington Hills MI				x															x														
7	(S) as Trustee of Joseph Weinman Living Trust, Repsol Int'l Capital Ltd 7.45% Non Cum Grd Pref	x																		x														
8	(dependent child) Obama for America																																Salary	
9																																		

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Do not Complete Schedule B if you are a new entrant, nominee, Vice Presidential or Presidential Candidate

Reporting Individual's Name

Cameron F. Kerry

SCHEDULE B

Page Number

14

Part I: Transactions

None

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded \$1,000. Include transactions that resulted in a loss. Do not

report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

Transaction Type (X)	Date (Mo., Day, Yr.)	Amount of Transaction (X)											Certificate of divestiture			
		\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000				
Example: <input checked="" type="checkbox"/> Purchase	2/1/99			<input checked="" type="checkbox"/>												
1																
2																
3																
4																
5																

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than \$260; and (2) travel-related cash reimbursements received from one source totaling more than \$260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. Exclude anything given to you by

the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth \$104 or less. See instructions for other exclusions.

None

Source (Name and Address)	Brief Description	Value
Examples: Nat'l Assn. of Rock Collectors, NY, NY Frank Jones, San Francisco, CA	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty) Leather briefcase (personal friend)	\$500 \$300
1		
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Do not Complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting individual's Name Cameron F. Kerry	SCHEDULE B continued (Use only if needed)	Page Number 15
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Part I: Transactions

		Transaction Type (x)			Date (Mo., Day, Yr.)	Amount of Transaction (x)											
		Purchase	Sale	Exchange		\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Certificate of divestiture
	Example: Central Airlines Common	x			2/1/99			x									
1																	
2																	
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8																	
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15																	
16																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Reporting Individual's Name
 Cameron F. Kerry

SCHEDULE C

Page Number
 16

Part I: Liabilities

Report liabilities over \$10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. Exclude a mortgage on your

personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None

Category of Amount or Value (x)

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x)														
						\$10,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000				
Examples:	First District Bank, Washington, DC John Jones, 123 J St., Washington, DC	Mortgage on rental property, Delaware Promissory note	1991 1999	8% 10%	25 yrs. on demand			x			x									
1																				
2																				
3																				
4																				
5																				

* This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: continuing participation in an employee benefit plan (e.g. 401k, deferred compensation); (2) continuation payment by a former employer (including severance payments); (3) leaves

of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits

None

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	Under the Mintz Levin Cohn Ferris Glovsky & Popeo, P.C. Savings Plan for Members and Staff 401(k) Plan managed by Fidelity Investments, and administered by Mintz Levin, I have the option to leave contributions in the plan or to withdraw. No contributions will be made by Mintz Levin during my government service, except the contribution for the fiscal year that ended March 28, 2009 for all participants in the plan based on a pre-determined formula is expected in July or August, 2009.	Mintz Levin Cohn Ferris Glovsky & Popeo, P.C., Boston, MA	4/2006
2	ML Investments LLC has option to purchase securities held by the LLC in which I have an interest at then book value or hold and pay proceeds of sale, dividend or other distribution, or of liquidation at the time of such transaction. The firm has agreed to exercise this option.	ML Investments, LLC, Boston, MA	9/1997
3	A portion of the fiscal year-end distribution to Mintz Levin partners on March 28, 2009 was held back as a loan to the law firm. My portion along with that of all partners will be repaid in December, 2009.	Mintz Levin Cohn Ferris Glovsky & Popeo, P.C. Boston, MA	3/2009
4			
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6			

Reporting Individual's Name Cameron F. Kerry	SCHEDULE D	Page Number 17
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Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or

consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Natl Assn. of Rock Collectors, NY, NY Doe Jones & Smith, Hometown, State	Non-profit-education Law firm	President Partner	6/92 7/85	Present 1/00
1	Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.	Law firm	Associate Member	1/83 4/87	4/87 Present
2	National Jewish Democratic Council	Political 501(c)(4)	Board of Directors Executive Committee Vice-Chair	1/2005 1/2006 1/2008	Present 1/2008 Present
3	Citizen Schools Boston	Educational Non-Profit	Advisory Board	11/2006	Present
4	New England Nordic Skiing Association	Sports Non-Profit	Board of Directors	12/1999	Present
5	Boston Bar Association Civil Rights/ Civil Liberties Committee	Bar association non-profit	Steering Committee	9/2007	Present
6	Federal Communications Bar Association	Bar association non-profit	New England Steering Committee	9/2007	9/2008

Part II: Compensation In Excess Of \$5,000 Paid by One Source

Report sources of more than \$5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any

corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than \$5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None

	Source (Name and Address)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State Metro University (client of Doe Jones & Smith), Hometown, State	Legal services Legal services in connection with university construction
1	Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. Boston, MA	Salary and bonus for legal services as a member of firm
2	Comcast Corporation Philadelphia, PA	Legal services
3	Coyote Springs Investments LLC Las Vegas, NV	Legal services
4	Inside Cable, Inc. Billerica, MA	Legal services
5	Massachusetts Property Insurance Underwriting Association Boston, MA	Legal services
6	MetroPCS, Communications, Inc. Richardson, TX	Legal services

Reporting Individual's Name Cameron F. Kerry	SCHEDULE D continued	Page Number 18
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Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or

consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY Doc Jones & Smith, Hometown, State	Non-profit education Law firm	President Partner	6/92 7/85	Present 1/00
1	Griselda Forbes-Martineau Trust <i>tu</i> 12/1/1973	Private Trust	Successor Trustee	10/98	Present
2					
3					
4					
5					
6					

Part II: Compensation In Excess Of \$5,000 Paid by One Source

Report sources of more than \$5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any

corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than \$5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None

	Source (Name and Address)	Brief Description of Duties
Examples:	Doc Jones & Smith, Hometown, State Metro University (client of Doc Jones & Smith), Moneytown, State	Legal services Legal services in connection with university construction
1	New England Sports Network Watertown, MA	Legal services
2	SAS Institute, Inc. Cary, NC	Legal services
3	Terra Mark LLC Stamford, CT	Legal services
4	The Hartford Financial Service Group, Inc. Hartford, CT	Legal services
5	Time Warner Cable, Inc. New York, NY	Legal services
6	Virginia Fruh Newburyport, MA	Legal services

Cameron Kerry

← FOIA Ex. 6

April 17, 2009

Ms. Barbara S. Fredericks
Assistant General Counsel for Administration U. S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, D.C. 20230

Dear Ms. Fredericks:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for and appointed to the position of General Counsel for the U.S. Department of Commerce.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I will resign from my position as a member of Mintz Levin Cohn Ferris Glovsky and Popeo P.C. (Mintz Levin) on or before confirmation and prior to appointment. Consistent with other members of that firm and the firm's compensation scheme for members, I have received a partnership distribution in the form of a bonus for the fiscal year ending March 28, 2009 (fiscal year 2009) on or about March 28, 2009. A portion of that distribution was held back as a loan to the law firm. My portion, as well as that of all partners, is expected to be repaid in the ordinary course of business at the end of December 2009. I will not participate personally and substantially in any particular matter that has a direct and predictable effect on the ability or willingness of Mintz Levin to repay my loan, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

As of the beginning of Mintz Levin's new fiscal year on March 29, 2009, I began work for the firm on as a contract partner, for which I will receive a monthly fee equal to my monthly draw or salary for fiscal year 2009, with no distribution or bonus. Such payment arrangement is consistent with established practice of the law firm at the outset of a new fiscal year prior to setting compensation for the current year. Compensation for any partial month during which I end my contractual relationship with the law firm will be prorated to the date of departure.

Ms. Barbara S. Fredericks
Page 2
April 17, 2009

Through my affiliation with Mintz Levin, I have an interest in certain shares of stock held by Mintz Levin Investments, LLC in privately-held companies. On my departure from the firm, Mintz Levin has the option to purchase my interest in these shares at the current book value or to hold these securities for my benefit. So that I may divest myself of any continuing interest in Mintz Levin Investments, LLC or its underlying holdings, the firm will exercise its option to purchase my interest within 90 days of my confirmation. Until the firm purchases my interest, I will not participate personally and substantially in any particular matter that has a direct and predictable effect on the financial interests of ML Investments, including its underlying holdings, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

Under the Mintz Leven Cohn Ferris Glovsky & Popeo, P.C. Savings Plan for Members and Staff 401(k) Plan managed by Fidelity Investments and administered by Mintz Levin, I have the option to leave contributions in the plan or to withdraw. If I leave my contributions in the plan, no further contributions will be made by Mintz Levin during my Government service, except for the 2009 fiscal year-end contribution, which is expected to be made in the July-August 2009 time frame, based on a pre-determined formula. Such distributions will similarly be made for all participants in the plan. I will not participate personally and substantially in any particular matter that has a direct and predictable effect on the ability or willingness of Mintz Levin to provide the distributions to which I am entitled, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

I have been advised that the duties of the position of the General Counsel are not likely to involve particular matters affecting the financial interests of Detroit Edison (in which my spouse has a remainder interest held in a trust), or a condominium in Farmington Hills, Michigan (also held in the aforementioned trust), or Les Essarts Property Ltd. (consisting of real estate in Saint-Briac, France). Therefore, the Department of Commerce ethics officials have determined that it is not necessary at this time for me to divest my interests in these entities in order to appropriately perform the duties of my position because the likelihood that my duties will involve such matters is remote. Accordingly, I and my spouse will retain these holdings and I will not participate personally and substantially in any particular matter that has a direct and predictable effect on the financial interests of any of these entities, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

With respect to my other assets in which I have a financial interest, disqualification is not presently required because of the applicability of a regulatory exemption under 18 U.S.C. § 208(b)(2). I will monitor the value of those interests and if the aggregate value of interests affected by a particular matter increases and exceeds the de minimis threshold, I will not participate in the particular matter, unless I first obtain a written waiver under 18 U.S.C. § 208(b)(1).

Ms. Barbara S. Fredericks
Page 3
April 17, 2009

Upon confirmation, I will resign from the following positions:

Boston Bar Association, Civil Rights & Civil Liberties Section Steering Committee,
Member
Citizen Schools Boston, Advisory Board Member
Federal Communications Bar Association, Steering Committee, Member
Griselda Forbes-Martineau Trust, Successor Trustee
National Jewish Democratic Council, Board Member, Executive Committee, and Vice
Chair
New England Nordic Skiing Association, Board Member.

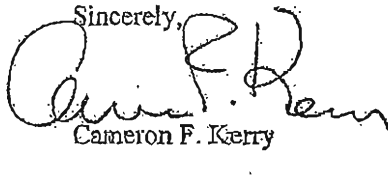
For a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which any of the following entities is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d):

Griselda Forbes-Martineau Trust
National Jewish Democratic Council
Mintz Levin
New England Nordic Skiing Association.

In addition, I will not participate personally and substantially in any particular matter involving specific parties in which a former client of mine is a party or represents a party, for a period of one year after I last provided service to that client, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

My spouse is currently a partner with the law firm of Dwyer & Collora, LLP. I will not participate personally and substantially in any particular matter that has a direct and predictable effect on the financial interests of that firm, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1). I also will not participate personally and substantially in any particular matter involving specific parties in which I know that a client of my spouse is a party or represents a party, unless I have been authorized pursuant to 5 C.F.R. § 2635.502(d). In addition, for the duration of my appointment to the position of General Counsel, my spouse has agreed not to communicate with the Department of Commerce on behalf of the firm or any of her clients.

Finally, I understand that as an appointee I am required to sign the Ethics Pledge (Exec. Order No. 13490) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this and any other ethics agreement.

Sincerely,

Cameron F. Kerry

Funds that do not qualify under the "safe harbor" mutual fund exemption from disclosure rule include:

- (1) most IRAs;
- (2) funds that issue regular reports where the judge knows or should know the stocks in his portfolio;
- (3) funds with notoriously public activity (e.g., [T. Rowe Price](#) and [Fidelity](#) pre-IPO Facebook investing);
- (4) undisclosed purchases of "dark" instruments which conceal activity subject to transparency laws;
- (5) law firm 401(k) retirement accounts;
- (6) funds where stocks are held in the judge's (or spouse) name — "even one share"; and
- (7) funds where there is an appearance of impropriety.

Sources:

Guide to Judiciary Policy, Ethics & Judicial Conduct, Vol. 2B, Ch. 2, see esp. Section 106, U.S. Courts, United States Department of Justice

<<http://www.uscourts.gov/uscourts/RulesAndPolicies/conduct/Vol02B-Ch02.pdf>>;

See also

<<https://docs.google.com/file/d/0B2SfG2nEsMfqSVQ4dFUyWGNHS0E/edit>> and <<http://www.scribd.com/doc/199638078/Guide-to-Judiciary-Policy-Vol-02-Ethics-and-Judicial-Conduct-Part-B-Ethics-Advisory-Opinions-Ch-02-Published-Advisory-Opinions-accessed-Jan>>.

Business

Fidelity Invests \$74 Million in Facebook & \$82 Million in Zynga

[Gregory Gomer](#) Jun 2nd 2011 at 2:31 pm

[Facebook](#), [Zynga](#), [Fidelity](#)

+1

According to the [Boston Globe this morning](#), Fidelity Investments made a few large investments in social media during the first quarter of this year. It is reported that William Danoff, the manager of Fidelity's Contrafund - it's biggest and very popular fund - has invested \$74 million in Facebook Class B common shares and \$82 million in Zynga

convertible preferred stock. Danoff has managed the \$80 billion Fidelity Contrafund since September 1990.

In the [article](#), "Vincent Loporchio, a spokesman for Fidelity, said more than 30 of its funds held Facebook shares as of April 30. No fund had more than 0.15 percent of its assets invested in Facebook, said Loporchio, who declined to comment further."

This is certainly no surprise as large funds have been dying to get their hands on the red hot shares of these social media companies, but it does mark a scary trend.

These secondary markets are not regulated at all by the SEC, and most funds have avoided these privately traded stocks for years. These markets can be extremely volatile and guess what is going to be first to crash, once this said "bubble" we are in either pops or deflates?

I certainly like this move, historically these markets have proven to be extremely valuable leading up to the company's IPO's but again can be very risky. The fund also has a \$5.3 billion stake in Apple Inc. and \$3.8 billion in Google Inc.

Having that said, being a Fidelity alum I have money in the Contrafund and dig the investment.

Related Posts



Fidelity Demands Resolution to Nasdaq Trading Glitch

[Sam Dwyer](#)

Cloudant Raises \$12 Million Series B for Database-as-a-Service

[Walter Frick](#)

Bloomberg

Fidelity's Danoff Bets on Facebook, Zynga

By Miles Weiss - Jun 1, 2011

William Danoff, the manager of Fidelity Investment's largest stock fund, established a toehold in the social-networking industry during the first quarter by acquiring shares of [Facebook](#) Inc. and Zynga Inc.

Danoff's Fidelity Contrafund invested \$74 million in Facebook Class B common shares and \$82 million in Zynga convertible preferred stock, according to a quarterly report the fund filed yesterday with the U.S. Securities and Exchange Commission. Danoff, 50, has managed the \$80 billion Fidelity Contrafund since September 1990.

Fidelity and rivals T. Rowe Price Group Inc. and Capital Group Cos. are snapping up stakes in social-networking companies before they go public, after the mutual-fund industry avoided privately traded stocks for years. Boston-based Fidelity and Baltimore's T. Rowe Price may recognize an opportunity as a growing percentage of clients access their fund holdings through Facebook, said [Geoff Bobroff](#), a fund consultant in [East Greenwich, Rhode Island](#).

"We are seeing more of these fund companies embrace and adopt social media as something they are providing to their shareholders," Bobroff said today in an interview. "It's somewhat logical they would think there is value."

[Vincent Loporchio](#), a spokesman for Fidelity, said more than 30 of its funds held Facebook shares as of April 30. No fund had more than 0.15 percent of its assets invested in Facebook, according to Loporchio, who declined to comment further.

T. Rowe, American

T. Rowe Price reported in April that 19 of its mutual funds invested at least \$191 million during the first quarter in Facebook, the [Palo Alto](#), California-based owner of the world's most popular social-networking website. American Funds Growth Fund of America, a \$168 billion stock fund overseen by Los Angeles-based Capital Group, invested \$66.5 million on Feb. 18 in Zynga, the largest maker of games on Facebook, according to an April 29 filing.

[Fidelity Contrafund \(FCNTX\)](#) averaged annual gains of 7 percent over the past 10 years to beat 99

percent of its large-capitalization growth stock peers, according to Chicago-based research firm Morningstar Inc.

Danoff's fund aims to invest in stocks whose value hasn't been fully recognized by the public. At the end of last year, it had about 33 percent of net assets in information technology shares, including a \$5.3 billion stake in [Apple Inc. \(AAPL\)](#) and \$3.8 billion in Google Inc.

The fund acquired 2.97 million Facebook shares during the first quarter for about \$25 each, the same price T. Rowe Price reported paying, according to yesterday's filing. Facebook in January said it had raised \$1.5 billion from investors led by [Goldman Sachs Group Inc. \(GS\)](#), placing a \$50 billion valuation on the closely held business at the time.

Convertible Preferred Shares

Fidelity Contrafund also bought its Zynga convertible preferred stock on Feb. 18, according to yesterday's filing. Zynga held talks in February with T. Rowe Price and Fidelity about selling shares at a price that implied the company's market value was close to \$10 billion, two people familiar with the situation said at the time.

Facebook and Zynga last year laid the groundwork for initial public offerings by imposing fees on employees who sell their shares. Zynga may file for an IPO by the end of June, a person familiar with the plans said last week.

To contact the reporter on this story: Miles Weiss in Washington at mweiss@bloomberg.net

To contact the editor responsible for this story: Christian Baumgaertel at cbaumgaertel@bloomberg.net

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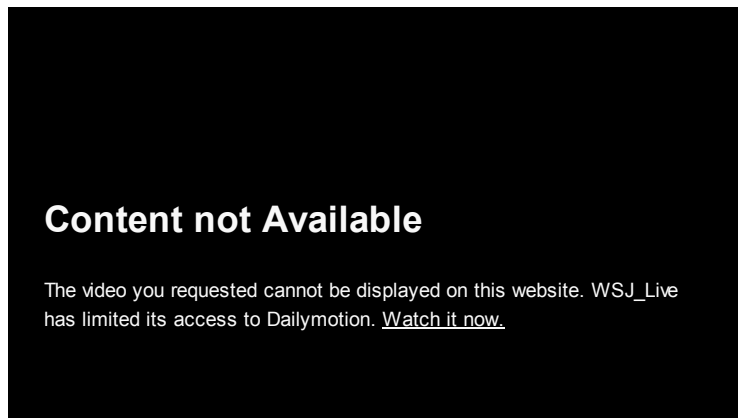
Source: [The Wall Street Journal Online](#)

MARKETS

Morgan Stanley Funds in Big Facebook Bet

By Aaron Lucchetti and Telis Demos
Updated Aug. 24, 2012 11:57 a.m. ET

U.S. mutual funds run by [Morgan Stanley](#), [MS -0.12%](#) the lead underwriter in Facebook Inc. FB \$16 billion initial public offering, have disproportionately high investments in the social-media company, leaving fund shareholders exposed to the stock's big drop since its May 18 IPO.



[Morgan Stanley Bets Big on Facebook](#) by [WSJ Live](#)

New data show that eight of the top nine U.S. mutual funds with Facebook shares as a percentage of total assets are run by Morgan Stanley's asset-management arm, according to fund tracker Morningstar Inc.

Morgan Stanley had a crucial role in lining up orders for Facebook as the social-media company prepared to go public. It helped advise Facebook executives to increase the size and price of the IPO, despite warnings the company was making about its profit outlook. The New York securities firm, which declined to comment, took in \$200 million in underwriting fees and trading profits,

according to regulatory filings and people involved in the deal.

The Morgan Stanley funds that have Facebook shares got many of them before the IPO at prices well below the \$38 offering price.

That means that fund shareholders may still have paper gains on their Facebook purchases, depending on when the fund bought their original stake. It also means the funds have been unable to sell any of their pre-IPO holdings.

The company's mutual funds have made large bets on other big-name technology companies in recent years, including bets on [Apple Inc.](#), AAPL +1.48% [Amazon.com Inc.](#) AMZN -1.06% and [LinkedIn Corp.](#) LNKD +0.14% whose values have all surged this year.

The Funds That Own Facebook

Hundreds of mutual funds have stakes in the social media company. See a list and sort by percentage of fund assets devoted to Facebook, and by absolute and relative performance.

Click here for an Excel file containing all four sections of the table below: [GoogleDocs](#) | [XLS file](#)

Q August 24, 2012

The Funds That Own Facebook

Hundreds of mutual funds have stakes in the social media company. Click column headers to sort by percentage of fund assets devoted to Facebook and by absolute relative performance.

<< first < prev 1 2 (#) 3 (#) 4 (#) next > (#) last >> (#)

Fund Name (yui-dt0-href-col 0)	Ticker (yui-dt0-href-col 1)	Total Facebook Weight (yui-dt0-href-col 2)	Total Investment as of portfolio date (yui-dt0-href-col 3)	July 2012 Return (yui-dt0-href-col 4)	July % rank against similar funds (yui-dt0-href-col 5)	Year-to-date Return (yui-dt0-href-col 6)	Year-to-date % rank against like funds (yui-dt0-href-col 7)	One-year return (yui-dt0-href-col 8)	One-year % rank against like funds (yui-dt0-href-col 9)
Morgan Stanley Inst Focus Grow th I	MSAGX	7.77%	\$28,777,414	-2.98%	98%	9.64%	90%	8.33%	99%
Morgan Stanley Focus Grow th B	AMOBX	7.72%	\$1,586,239,713	-3.08%	98%	8.63%	94%	7.06%	99%
Morgan Stanley Inst Opportunity H	MEGHX	7.39%	\$244,919,024	-3.91%	99%	6.71%	98%	10.10%	98%
Morgan Stanley Inst Advantage H	MAPHX	6.71%	\$12,159,351	-1.57%	96%	11.96%	71%	21.88%	77%
Morgan Stanley Institutional Grow th I	MSEQX	6.63%	\$847,917,689	-2.33%	97%	11.34%	78%	12.88%	97%
Transamerica Capital Grow th A	IALAX	6.58%	\$746,167,025	-2.39%	98%	10.35%	85%	11.62%	97%
Morgan Stanley Multi Cap Grow th B	CPOBX	6.42%	\$313,515,817	-2.33%	97%	7.93%	96%	8.32%	99%
Morgan Stanley Inst Global Opportunity I	MGGIX	6.42%	\$15,221,935	-3.96%	98%	4.98%	93%	3.77%	93%
Morgan Stanley Inst Gbl Advantage I	MIGIX	5.19%	\$2,513,921	-0.36%	86%	13.94%	10%	19.13%	9%
Turner Concentrated Gr Investor	TTOPX	5.00%	\$35,255,772	-4.20%	99%	9.28%	92%	14.60%	96%
Morgan Stanley Inst Gbl Discovery I	MLDIX	4.79%	\$5,032,255	-1.53%	93%	11.60%	29%	15.92%	31%
Goldman Sachs Technology Tollkeeper A	GITAX	2.85%	\$358,167,660	-2.66%	92%	17.63%	26%	28.63%	29%
Turner Global Opportunities Instl	TGLBX	2.32%	\$1,420,185	-1.11%	91%	9.89%	52%	16.77%	23%
Chesapeake Core Grow th	CHCGX	2.23%	\$31,550,392	0.20%	66%	16.83%	12%	28.85%	19%
Chesapeake Grow th Instl	CHESX	2.15%	\$10,660,814	-1.39%	70%	15.84%	2%	23.82%	46%
Saratoga Large Capitalization Grow th I	SLCGX	1.73%	\$20,539,302	0.63%	46%	12.43%	65%	26.38%	40%
Lord Abbett Grow th Leaders A	LGLAX	1.67%	\$23,284,142	-0.78%	90%	10.58%	84%	22.02%	76%
Tocqueville Opportunity	TOPPX	1.61%	\$68,606,152	-2.15%	77%	12.18%	25%	25.75%	45%
Goldman Sachs Concentrated Grow th A	GCGAX	1.60%	\$176,037,973	1.77%	7%	17.33%	9%	28.74%	20%
American Independence Large Cap Grow th I	A FLX	1.59%	\$5,723,812	-3.24%	99%	1.67%	99%	10.15%	98%
Eagle Capital Appreciation A	HRCPX	1.58%	\$312,936,069	1.75%	8%	17.64%	7%	27.76%	26%
Loomis Sayles Grow th Y	LSGRX	1.58%	\$137,102,956	1.09%	27%	13.02%	59%	26.08%	42%
Sands Capital Global Grow th Inst	SCMGX	1.55%	\$26,411,222	-0.16%	84%	12.51%	18%	18.99%	10%
Firsthand Technology Opportunities	TEFQX	1.52%	\$83,809,180	2.91%	1%	17.78%	24%	15.43%	93%
Touchstone Sands Capital Select Grow th Z	PTSGX	1.51%	\$2,650,677,414	0.34%	61%	20.80%	3%	34.98%	2%
Touchstone Sands Capital Inst Gr	CISGX	1.50%	\$1,879,329,652	0.36%	60%	21.45%	2%	35.72%	2%
Turner Large Grow th Institutional	TTMEX	1.36%	\$254,252,990	-0.57%	86%	11.79%	73%	21.25%	80%
Columbia Global Extended Alpha A	RTAAX	1.36%	\$18,990,332	1.43%	34%	8.50%	73%	13.66%	59%
Invesco Leisure Investor	FLISX	1.25%	\$362,284,050	-2.50%	83%	18.34%	12%	29.20%	79%
Invesco Technology Sector B	FOBX	1.19%	\$103,441,217	-1.45%	81%	12.59%	67%	28.04%	34%
AllianceBern Global Thematic Gr A	ALTFX	1.17%	\$830,246,855	-3.98%	99%	5.56%	91%	-0.55%	95%
Invesco Technologov	FTCHX	1.17%	\$709,896,602	-1.29%	71%	12.27%	69%	25.97%	44%

Investor	Ticker	Assets	Facebook	Facebook %	Facebook %	Facebook %	Facebook %	Facebook %	Facebook %
Artisan Global Opportunities Inv	ARTRX	1.15%	\$238,682,629	2.30%	12%	22.11%	1%	26.59%	1%
Baron Global Advantage Institutional	BGAIX	1.11%	\$2,313,424	-1.64%	94%	N/A	N/A	N/A	N/A
FL Large-Cap Growth P	N/A	1.08%	\$125,638,896	-0.21%	80%	16.11%	19%	27.24%	31%
Invesco Van Kampen American Franchise A	VAFAX	1.04%	\$5,607,536,462	-0.25%	81%	12.63%	62%	19.20%	89%
Invesco Constellation A	CSTGX	1.04%	\$2,462,252,859	-0.22%	80%	11.61%	75%	17.55%	93%
Invesco Van Kampen Mid Cap Gr A	VGRAX	1.04%	\$1,891,989,133	-1.72%	78%	8.66%	75%	19.77%	74%
Invesco Dynamics Inv	FIDYX	1.02%	\$821,481,822	-1.76%	80%	9.18%	70%	21.21%	68%
T. Rowe Price Global Stock	PRGSX	1.00%	\$513,696,057	0.12%	78%	9.77%	54%	11.82%	68%
JHancock US Global Leaders Gr A	USGLX	0.99%	\$570,665,220	0.38%	59%	16.58%	14%	33.99%	3%
T. Rowe Price Media & Telecommunications	PRMTX	0.97%	\$2,176,042,473	1.34%	75%	20.59%	12%	28.47%	12%
Hodges Pure Contrarian Retl	HDPCX	0.95%	\$6,538,442	-0.27%	28%	19.01%	2%	20.88%	77%
T. Rowe Price Science & Tech	PRSCX	0.93%	\$2,691,539,999	-3.08%	96%	7.42%	93%	15.44%	92%
VALIC Company I Science & Technology	VCSTX	0.93%	\$239,494,861	-0.85%	51%	13.67%	58%	21.83%	64%
Hartford Growth Opportunities B	HGOBX	0.91%	\$1,878,737,839	0.00%	74%	20.86%	3%	25.27%	48%
Oppenheimer Main Street A	MSIGX	0.90%	\$5,199,383,488	2.20%	7%	14.49%	16%	30.19%	6%
Hartford Growth Opportunities HLS IA	HAGOX	0.89%	\$1,068,479,670	0.14%	69%	21.83%	2%	26.91%	35%
MassMutual Premier	MSSAX	0.87%	\$159,288,656	2.21%	7%	14.29%	18%	29.78%	7%

Still, the Morgan Stanley funds' large stakes raise questions about whether the firm's role as lead underwriter influenced decisions.

A large investment bank that simultaneously buys and sells shares in any company "is in this conflicted position," said Frank Partnoy, a law professor at the University of San Diego who worked for Morgan Stanley in the 1990s. "This time it didn't work out."

The funds span the \$1.6 billion Focus Growth fund to the \$2.5 million Institutional Global Advantage fund.

Morgan Stanley's funds don't appear to have violated Securities and Exchange Commission rules limiting investments in offerings underwritten by an affiliate. SEC rules allow bank-affiliated mutual funds to participate in offerings in which the bank's investment bankers are advising the company, as long as the fund managers don't buy more than 25% of the deal and they buy the shares from a different bank.

The concentration of Morgan Stanley's funds stands out when compared with funds operated by other large institutional holders of Facebook stock.

Morgan Stanley Focus Growth Portfolio had 5.7% of its assets in Facebook shares as of July 31, according to Morgan Stanley's website, while Morgan Stanley Institutional Opportunity Portfolio had 5.5% and Morgan Stanley Institutional Growth Portfolio had 4.8%. Others among the eight Morgan Stanley mutual funds range between 3.6% and 4.6%. Those proportions ranged between 5% and 7.8% on June 30, according to the most recent Morningstar data that included other fund families.

"It's surprising that so many Morgan Stanley affiliated funds out of the thousands of mutual funds show up as having

extremely big weights," said Jay Ritter, a professor of finance at the University Florida.

Morgan Stanley isn't the largest institutional holder of Facebook.

Larger holders by dollar value include Fidelity Investments, [T. Rowe Price Group](#) Inc. TROW -0.79% and Goldman Sachs Asset Management, a unit of underwriter [Goldman Sachs Group](#) Inc. GS -0.24% Goldman also owned Facebook shares before its IPO

Goldman's most concentrated mutual fund position in Facebook was the Technology Tollkeeper fund, with Facebook making up 2.85% of its portfolio as of the end of June.

No mutual funds operated by Fidelity or T. Rowe Price, two other large institutional holders, publicly reported holding more than 1% of their portfolios in Facebook through June.

Many of the Morgan Stanley funds are sold to institutions only, and require a \$5 million minimum investment.

Morgan Stanley Multicap Growth Fund—one fund open to retail investors, including Morgan Stanley Smith Barney brokers—had a stake in Facebook as early as November 2010, when Facebook shares were valued at about \$13. They closed Thursday at \$19.44, down 49% since the IPO.

In June, a commentary on Morgan Stanley's fund website noted that Facebook and other technology stocks were "the leading detractor in the portfolio this quarter," attributing the decline in Facebook shares "to post-IPO volatility."

Under SEC rules, mutual fund managers also are bound by fiduciary duties to look out for their investors' interests over their own.

Read More

- [Deal Journal: Who Else Has a Big Bet on Facebook?](#)
- [Nasdaq's Facebook Plan Under Fire](#)

There's no sign that fund managers at Morgan Stanley bought Facebook shares because of the firm's underwriting relationship with Facebook, or to help curry favor with Facebook executives who chose Morgan Stanley for a key underwriting assignment in the spring IPO.

Mr. Ritter cited "psychological factors" as a possible explanation for the large investments, driven by the fact that many of the funds owned a big chunk of Facebook shares before the company sold shares to the public.

"There's a tendency to fall in love with what you've got rather than stepping back," said Mr. Ritter. Many Morgan Stanley funds added to their pre-public stakes during the month of the IPO—a sign, he said, that "they were drinking the Kool-Aid and became true believers."

Morgan Stanley has streamlined its mutual fund business under Gregory Fleming, who runs both the firm's asset management and wealth management units. Morgan Stanley's asset management at the end of June managed \$311 billion and produced \$456 million in revenues.

Morgan Stanley funds with the strongest liking for Facebook are overseen by Dennis Lynch, the firm's head of growth investing. A Morgan Stanley spokesman declined to comment on behalf of Mr. Lynch.

Write to Aaron Lucchetti at aaron.lucchetti@wsj.com and Telis Demos at Telis.Demos@wsj.com

Source: [The Wall Street Journal Online](#)



THE WALL STREET JOURNAL

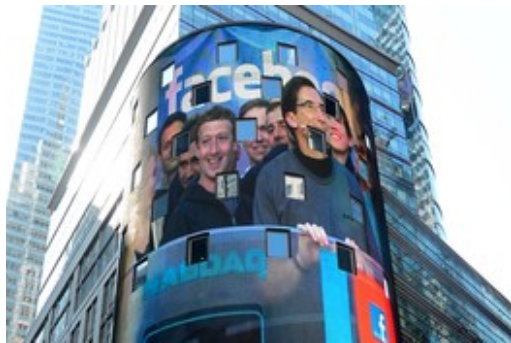
WSJ.com

August 24, 2012, 2:18 PM ET

Who Else Has a Big Bet on Facebook

By Telis Demos

We [reported this morning about the concentration](#) of Facebook stock in the portfolio of one group of investors, several mutual funds operated by Morgan Stanley Asset Management. But that is not where the concentration of Facebook stock ends.



AFP/Getty Images

According to fresh data from Ipreo, which has tallied up the public filings by all investors, a relatively large chunk of Facebook stock just three months after its \$16 billion IPO in May is held by the company's 10 largest institutional investors (that excludes insiders, like CEO Mark Zuckerberg, and the early VC investors, like Accel Partners).

The top 10 "accounts," in banker-speak, represent about 50% of Facebook's institutional ownership, according to Ipreo, the capital markets data firm. That tops the 42% concentration for the top 10 institutions for all second quarter tech IPOs three months after they went public. Across more comparable \$1 billion-plus IPOs since 2010, the concentration is even lighter: The top 10 institutional accounts held 32% of those companies' shares.

This data, keep in mind, does not tell us who bought the IPO. That's a closely guarded secret held by the lead underwriters. These figures are based on public disclosures as of June 30. They are at best a proxy for how the IPO was actually distributed.

So who are the biggest betters — by total number of shares, not necessarily by weighting within the fund — on Facebook? Morgan Stanley Asset Management is only the fifth largest holder by that measure, according to Ipreo. Above them are Goldman Sachs Asset Management, Baillie Gifford & Company, Fidelity Investments, and T. Rowe Price Group Inc. Rounding out the top 10 are BlackRock Inc., Sands Capital Management LLC, Jennison Associates LLC, The Vanguard Group Inc. and Capital Research Global Advisors Inc.

Some of those investors were big pre-IPO holders. Goldman Sachs famously marketed a fund with pre-IPO Facebook stock to international investors, which accounts for a big chunk of its holdings. T. Rowe Price and Fidelity also bought in before the IPO. The point here is that they all may still be sitting on Facebook stock gains, depending on when exactly they got into the stock.

Others, however, appear to have gotten in primarily via the IPO, or after it began trading. That includes Baillie Gifford, an Edinburgh-based fund management giant that manages assets of £76.0 billion (\$120 billion). They are a sub-advisor to some large fund management families, like Vanguard, but also manage money on behalf of giant pension funds such as the California Public Employees' Retirement System (CALPERS), the New York City Police Pension Fund and the Korea National Pension Service, according to their website. The firm did not return requests for an interview.

Some of the big investors are also there just because they have to be. BlackRock and Vanguard operate many index funds that may have bought Facebook stock solely because it likely will be a member someday of indexes such as the S&P 500 and Nasdaq 100, and is already in indexes such as the Russell 1000.

What speaks loudly are the absences of firms that are typically very big holders of recently IPO'd companies. Citadel Advisors, which bought 17 other second-quarter IPOs according to Ipreo, owned just 167,164 Facebook shares at the end of June. Wellington Management Company LLP and Lord Abbett & Company LLC, which bought 11 second quarter IPOs, both held fewer than 1m shares. For context, Baillie Gifford reported holding 19 million shares.

RANK	NAME	TOTAL AUM	FB SHARES AS OF JUNE 30
1	Goldman Sachs Asset Management, L.P. (U.S.)	82,329.1	36,634,486.0
2	Baillie Gifford & Company	60,809.1	19,380,440.0
3	Fidelity Management & Research Company	544,656.5	18,774,915.0
4	T. Rowe Price Associates, Inc.	338,744.6	18,663,997.0
5	Morgan Stanley Investment Management, Inc. (U.S.)	54,113.2	16,362,788.0
6	BlackRock Fund Advisors	768,143.8	11,690,656.0
7	Sands Capital Management, LLC	22,157.4	11,649,292.0
8	Jennison Associates, LLC	80,316.4	9,691,825.0
9	The Vanguard Group, Inc.	908,526.5	9,582,480.0
10	Capital Research Global Investors (U.S.)	366,059.2	8,273,200.0

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Fidelity Contrafund 12-31-2012

FCNTX

Fidelity Contrafund K 12-31-2012

FCNKX

FCNTX and/or FCNKX held by **Leader v. Facebook** judges &

Obama administration officials:

1. **John G. Roberts, Jr.**, Supreme Court
2. **Kimberly A. Moore**, Federal Circuit
3. **Evan J. Wallach**, Federal Circuit
4. **Howard K. Koh**, Health & Human Services
5. **Eric H. Holder**, Attorney General
6. **John J. Sullivan**, Federal Election Commission
7. **Carmel M. Martin**, Education
8. **Ivan K. Fong**, Homeland Security
9. **Alison J. Nathan**, White House
10. **Denis R. McDonough**, White House

Other Fidelity "dark pool" funds held by judges and Obama cabinet:

1. **Leonard P. Stark**, Dist. Ct. Del.
2. **Stephen G. Breyer**, Sup. Ct.
3. **Clarence Thomas**, Sup. Ct.
4. **Rebecca M. Blank**, Com. Sec., USPTO
5. **Cameron F. Kerry**, Com. GC, USPTO
6. **Timothy Geitner**, Treas. Sec.
7. **Steven Chu**, Energ. Sec.
8. **David S. Kris**, Just.
9. **Donald M. Remy**, Army

101 Obama Cabinet Members & 11 Federal Judges involved with *Leader v. Facebook* hold one or more Fidelity Funds. 30+ Fidelity Funds invested (via Fid. Central Fund) in Facebook pre-IPO dark pools.

Summary of Facebook conflicts of interests.

Code of Conduct for United States Judges:

Yellow Highlight = Notorious Facebook collaborator

"Avoid even the appearance of impropriety."

No.	Conflict	Notorious Facebook collaborators in whom Fidelity Contrafund also holds shares and other rights	Shares	Value (000s)
1	Leader* patent theft	Accenture PLC Class A ^a	12,015,464	\$799,028
2	Leader patent theft	athenahealth, Inc. (a) ^b	1,371,392	100,729
3	Leader patent theft	Boston Scientific Corp. (a) ^c	956,300	5,480
4	FB Dark Pools	Charles Schwab ^d	997,500	14,324
5	Accel Partners	Dropbox, Inc. Series A (h) ^e	1,260,898	11,410
6	Accel Partners	Dropbox, Inc. (h) ^e	5,464,028	49,445
7	Microsoft	Expedia, Inc. (Microsoft) ^f	644,487	39,604
8	Patent Infringer	Facebook, Inc. Class A ^g	24,588,325	654,787
9	FB Dark Pools	Fidelity Cash Central Fund, 0.18% (b) ^h	1,072,093,617	1,072,094
10	FB Dark Pools	Fidelity National Information Services, Inc. ^h	4,527,299	157,595
11	FB Dark Pools	Fidelity Securities Lending Cash Central Fund, 0.18% (b)(c) ^h	218,692,235	218,692
12	FB Dark Pools	Goldman Sachs Group, Inc. ⁱ	347,800	44,365
13	Leader patent theft	IBM Corp. ^j	915,236	175,313
14	FB Dark Pools	JPMorgan Chase & Co. ^k	4,560,232	200,513
15	Leader patent theft	LinkedIn Corp. (a) ^l	2,244,889	257,758
16	FB Dark Pools	Morgan Stanley ^m	2,406,700	46,016
17	FB Dark Pools	State Street Corp. ⁿ	2,594,400	121,963
18	FB Dark Pools	T. Rowe Price Group, Inc. ^o	275,000	17,911
19	Leader patent theft	Tesla Motors, Inc. (a) ^p	1,968,741	66,681
20	Accel Partners	Wal-Mart Stores, Inc. ^q	13,839,600	944,276
21	FB Dark Pools	Workday, Inc. ^r	1,037,800	56,560
22	FB Dark Pools	Workday, Inc. (h) ^r	1,223,783	60,027
		TOTAL		\$5,103,105

* Leader Technologies, Inc., Columbus, Ohio, U.S. Patent No. 7,139,761.

Fidelity Contrafund 12-31-2012

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Common Stocks - 98.7%

	Shares	Value (000s)
CONSUMER DISCRETIONARY - 20.0%		
Automobiles - 0.2%		
Hyundai Motor Co.	397,072	\$ 82,388
Tesla Motors, Inc. (a)	1,968,741	66,681
		<u>149,069</u>
Internet & Catalog Retail - 2.8%		
Amazon.com, Inc. (a)	5,901,237	1,482,037
Expedia, Inc.	644,487	39,604
Liberty Media Corp.:		
Interactive Series A (a)	2,547,100	50,127
CVS Caremark Corp.	10,048,000	485,821
Fresh Market, Inc. (a)	1,452,437	69,848
Wal-Mart Stores, Inc.	13,839,600	944,276
Whole Foods Market, Inc.	661,350	<u>60,401</u>
Health Care Equipment & Supplies - 1.0%		
Baxter International, Inc.	2,948,000	196,514
Boston Scientific Corp. (a)	956,300	5,480
CareFusion Corp. (a)	621,900	17,774
FINANCIALS - continued		
Capital Markets - continued		
Charles Schwab Corp.	997,500	\$ 14,324
Goldman Sachs Group, Inc.	347,800	44,365
Morgan Stanley	2,406,700	46,016
State Street Corp.	2,594,400	121,963
T. Rowe Price Group, Inc.	275,000	17,911
		<u>261,849</u>
Diversified Financial Services - 0.5%		
Citigroup, Inc.	4,962,702	196,324
JPMorgan Chase & Co.	4,560,232	200,513
Kotak Mahindra Bank Ltd.	1,183,309	<u>14,141</u>
		<u>410,978</u>
Health Care Technology - 0.7%		
athenahealth, Inc. (a)	1,371,392	100,729
Cerner Corp. (a)	6,251,149	<u>485,339</u>

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Electronic Equipment & Components - 0.7%

Amphenol Corp. Class A (e) 9,418,529 609,379

Internet Software & Services - 8.3%

Akamai Technologies, Inc. (a)	876,731	35,867
Constant Contact, Inc. (a)(d)	1,038,840	14,762
Cornerstone OnDemand, Inc. (a)	1,906,002	56,284
Dropbox, Inc. (h)	5,464,028	49,445
eBay, Inc. (a)	16,805,428	857,413
Equinix, Inc. (a)	690,600	142,402
ExactTarget, Inc.	1,732,500	34,650
Facebook, Inc. Class A	24,588,325	654,787
Google, Inc. Class A (a)	6,291,877	4,463,269
LinkedIn Corp. (a)	2,244,889	257,758
MercadoLibre, Inc. (d)	479,359	37,663
Rackspace Hosting, Inc. (a)	916,400	68,061
Web.com Group, Inc. (a)	193,103	2,858
Yahoo!, Inc. (a)	17,717,200	<u>352,572</u>
		<u>7,027,791</u>

IT Services - 5.7%

Accenture PLC Class A	12,015,464	799,028
Alliance Data Systems Corp. (a)(e)	2,731,011	395,341
Cognizant Technology Solutions Corp. Class A (a)	479,600	35,514
Fidelity National Information Services, Inc.	4,527,299	157,595
Fiserv, Inc. (a)	3,073,955	242,935
FleetCor Technologies, Inc. (a)	812,251	43,577
Gartner, Inc. Class A (a)	362,200	16,668
IBM Corp.	915,236	175,313
MasterCard, Inc. Class A	2,603,058	1,278,830
Paychex, Inc.	253,100	7,882
Syntel, Inc.	28,841	1,546
Vantiv, Inc.	132,971	2,715
Visa, Inc. Class A	10,661,179	<u>1,616,022</u>

4,772,966

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Software - 3.0%

Splunk, Inc.	1,301,088	37,758
Symantec Corp. (a)	8,309,100	156,294
Trion World Network, Inc. warrants 8/10/17 (a)(h)	124,282	0*
Ultimate Software Group, Inc. (a)	614,846	58,048
VMware, Inc. Class A (a)	1,141,600	107,470
Workday, Inc.	1,037,800	56,560
Workday, Inc. (h)	1,223,783	60,027

INFORMATION TECHNOLOGY - 0.0%

Internet Software & Services - 0.0%

Dropbox, Inc. Series A (h)	1,260,898	11,410
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Other Affiliated Issuers

An affiliated company is a company in which the Fund has ownership of at least 5% of the voting securities. Fiscal year to date transactions with companies which are or were affiliates are as follows:

Affiliate

(Amounts in thousands)	Value, beginning of period	Purchases	Sales Proceeds	Dividend Income	Value, end of period
Alliance Data Systems Corp.	\$ 156,000	\$ 152,954	\$ -	\$ -	\$ 395,341
Allot Communications Ltd.	-	53,271	-	-	37,894
Amphenol Corp.					
Class A	506,556	70,663	159,917	4,031	609,379
athenahealth, Inc.	45,749	131,579	81,322	-	-
Avion Gold Corp.	59,448	-	3,525	-	-
B2Gold Corp.	83,805	15,738	-	-	112,214
B2Gold Corp. (144A)	17,807	-	-	-	20,937

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Relationship to Facebook (Conflict of Interest):

No.	Entity/Person	Description of the relationship to Facebook principals
a.	Accenture	<p>Appointed to replace CGI Federal as contractor responsible for HealthCare.gov. This appointment appears to be out of one Facebook cartel pocket (Michelle Obama (CGI Federal), Todd Y. Park, Robert Kocher, Ann H. Lamont) and into another cartel participant. The site continues to make intimate use of Facebook and Leader Technologies' social networking invention, including the false claims that the technology is "open source."</p> <p>"Accenture to Take Over Fixing HealthCare.gov Website" by Stephanie Armour, <i>The Wall Street Journal</i>, Jan. 12, 2014 http://online.wsj.com/news/articles/SB10001424052702303819704579316944287311118.</p>
b.	athenahealth Inc.	<p>Founded by Todd Y. Park, Barack Obama's current U.S. Chief Technology Officer, former chief technology officer at U.S. Health & Human Services, chief architect of HealthCare.gov. athenahealth [sic] makes claims that social networking technology is "open source" without justification.</p> <p>Robert Kocher MD, Pres. Obamacare architect and member of the National Economic Council led by Lawrence "Larry" Summers is a director of U.S. CTO Todd Y. Park's Castlight Health. Park's brother David Y. Park is chief operating officer of athenahealth. Ann H. Lamont, Meritech Management, a large Facebook investor, is also a Castlight Health director.</p> <p>Obama's Chief Tech Officer Todd Y. Park Mired in Conflicts of Interest - Park misled the House Oversight Committee about his knowledge and role in HealthCare.gov" by <i>Americans For Innovation</i>, Nov. 15, 2013 http://americans4innovation.blogspot.com/2013/11/obamas-chief-tech-</p>

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		officer-todd-y-park.html >.
c.	Boston Scientific	<p>Site of a Leader Technologies beta testing site in the fall of 2003 for its invention, now called "social networking," where companies owned by Accel Partners LLP elicited trade secrets information just a month before Mark Zuckerberg hacked into the Harvard House sites on Oct. 28, 2003. Several months later, Facebook was on the market, supported by Facebook's largest shareholder and director, Accel Partners, James W. Breyer, Managing Partner, along with Facebook director Reid Hoffman, also CEO of LinkedIn, and along with one of Facebook's largest shareholders and director, Peter Thiel.</p> <p><i>See Leader Technologies, Inc. v. Facebook, Inc.</i>, 08-cv-862-JJF-LPS (D.Del. 2008) Trial Transcripts; <i>See also Leader v. Facebook FULL DOCKET Case 08-cv-862 JJF/LPS (D.Del. 2008)</i> <http://www.scribd.com/doc/61256189/Leader-v-Facebook-FULL-DOCKET-Case-08-cv-862-JJF-LPS-D-Del-2008>.</p>
d.	Charles Schwab	<p>Given the number of funds (Fidelity, T.RowePrice, Blackrock, Goldman Sachs, Morgan Stanley, JPMorgan, etc.) in which Schwab invests co-terminously with various members of the Facebook cartel, a reasonable person will assume by inference that Schwab has inside knowledge of which funds would benefit disproportionately by the Facebook IPO et al.</p>
e.	Dropbox, Inc.	<p>This company is funded by Facebook's former director and largest shareholder James W. Breyer, Accel Partners LLP, and Goldman Sachs, among others.</p> <p>http://www.crunchbase.com/company/dropbox</p>
f.	Expedia	<p>Notoriously known to be owned by Microsoft, one of Facebook's largest shareholders. Microsoft is a "Leader" in the "Leaders Circle" at the Federal Circuit Bar Association. Microsoft was formerly represented by Thomas G. Hungar of Gibson Dunn LLP during the <i>Microsoft v. i4i</i> proceedings. Hungar also represented the Federal Circuit judges and the Federal Circuit Bar Association in a 2010 conflicts of interest matter, yet failed to disclose these conflicts of interest when the <i>Leader v. Facebook</i> matter came before the Federal Circuit.</p>

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Microsoft. The Federal Circuit Bar Association, "Leaders Circle" Webpage, Accessed Sep. 30, 2012 <<http://www.scribd.com/doc/108466240/The-Federal-Circuit-Bar-Association-Leaders-Circle-Webpage-Accessed-Sep-30-2012>>.

g. Facebook

On July 27, 2010, found guilty of infringing **Leader Technologies, Inc. U.S. Patent No. 7,139,761** on 11 of 11 claims. The verdict was split with a ruling of on-sale bar. However, Facebook presented no hard evidence and failed to perform any of the well-settled tests, e.g. *Pfaff Electronics* and *Group One v. Hallmark Cards*. The Federal Circuit affirmed the lower court after rejecting the lower court's arguments for on-sale bar and fabricating new evidence on argument for Facebook in the secrecy of chambers, without a hearing. Chief Justice **John G. Roberts** refused to take Leader Technologies' Petition for Writ of Certiorari.

Tellingly, the judges in this case hold this Fidelity Contrafund stock, namely Chief Justice John G. Roberts, Federal Circuit Judge **Kimberly A. Moore** and Federal Circuit Judge **Evan J. Wallach**.

It is notoriously known that during the pendency of the *Leader v. Facebook* trial, President Obama's political organization via **Obama for America** and **Organizing for America** exploited over 47 million "likes" on Facebook, an infringed technology, to raise money and influence voters in the 2008 and 2012 elections.

Petition for Writ of Certiorari *Leader Technologies, Inc., v. Facebook, Inc.* No. 12-617, Nov. 16, 2012 <<http://www.scribd.com/doc/113545399/Petition-for-Writ-of-Certiorari-Leader-Technologies-Inc-v-Facebook-Inc-No-12-617-U-S-Supreme-Court-Nov-16-212-clickable-citations>>.

Organizing for Action: Our Founding Members. ORGANIZING for ACTION. Apr. 12, 2013. Accessed by May 25, 2013 <<http://www.barackobama.com/founding-members>>.

Barack Obama. Facebook Fan Page. Accessed May 25, 2013 <<https://www.facebook.com/barackobama/>>; See also Apr. 16, 2013 capture online <<http://www.scribd.com/doc/144490626/Barack-Obama-Facebook>>.

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[Screen-Capture-Apr-16-2013-11-36am-AM-EDT](#)>.

Barack Obama Contributors, 2012 Federal Election Cycle, Cooley Godward Kronish LLP (Facebook attorneys; adviser to Barack Obama on the judicial appointments of Leonard P. Stark and Evan J. Wallach) donors through 12/31/2012 <<http://www.fec.gov/disclosurep/national.do>>.

h.	Fidelity	<p>Fund manager Robert C. Ketterson is a business and investing partner with Facebook's largest shareholder and former chairman, James W. Breyer, Accel Partners LLC. Breyer and Ketterson served for years as director of the National Venture Capital Association which also included Vanguard's Anne Rockhold (now CFO of Accel Partners LLP) and Ann H. Lamont, director of U.S. CTO Todd Y. Park's companies athenahealth and Castlight Health which are embroiled in current Obamacare and HealthCare.gov scandals. Lamont serves as a director of athenahealth and Castlight Health with Robert Kocher, Obamacare architect and member of the National Economic Council with Lawrence "Larry" Summers, former director of the Council where he oversaw the bailout of Facebook underwriters and large shareholders, Goldman Sachs and Morgan Stanley under the direction of JPMorgan Chase and Jamie Dimon.</p>
i.	Goldman Sachs	<p>Facebook's underwriter and large investor, notoriously known. Goldman also received a \$13+ billion 2008 stimulus grant which was overseen by Facebook collaborator Lawrence "Larry" Summers, who had just recently received hundreds of thousands in speaking stipends from Goldman earlier that year, among other perks. Goldman is also notoriously known to be a Moscow, Russia business partner with Russian oligarchs Alisher Usmanov and Yuri Milner. Yuri Milner is a World Bank protégé of Summers and was teamed with Facebook COO Sheryl K. Sandberg.</p> <p>Briefing for Representative Jim Jordan (OH) - HOUSE OVERSIGHT COMMITTEE - American and Russian Opportunists Undermining U.S. Sovereignty and Corrupting U.S. Financial and Judicial Systems, Oct. 19, 2012 <http://www.scribd.com/doc/110575673/Briefing-for-Representative-Jim-Jordan-OH-HOUSE-OVERSIGHT-COMMITTEE-American-and-Russian></p>

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		Opportunists-Undermining-U-S-Sovereignty-and-Corruptin> .
j.	IBM	<p>IBM sold Facebook 750 patents during the pendency of <i>Leader v. Facebook</i>. The former Director of the U.S. Patent Office, David J. Kappos, systematically failed to disclose his bias toward Facebook’s and IBM’s interests regarding all matters related to Facebook’s intellectual property claims; neither has USPTO staff. Additionally, Facebook’s patent counsel in these IBM transactions is Fenwick & West LLP who has substantial conflicts of interest since the firm formerly represented Leader Technologies, Inc. in 2002-2003—the company whose social networking technology is being infringed by Facebook.</p> <p>Prior to leaving his post as Director of the Patent Office, David J. Kappos ordered an unprecedented third reexamination of <i>Leader Technologies’</i> U.S. Patent No. 7,139,761 using arguments identical to those that Facebook lost on at trial and in two previous reexaminations. Magically, the Examiner accepted ALL of Facebook’s arguments the fourth time around and is attempting to invalidate the entire patent, even claims that were not asserted at trial.</p> <p>In addition, former IBMer David J. Kappos established a Patent Office Facebook page for over 10,000 employees during the pendency of the <i>Leader v. Facebook</i> case.</p> <p>Petition for Writ of Certiorari <i>Leader Technologies, Inc., v. Facebook, Inc.</i> No. 12-617, Nov. 16, 2012 <http://www.scribd.com/doc/113545399/Petition-for-Writ-of-Certiorari-Leader-Technologies-Inc-v-Facebook-Inc-No-12-617-U-S-Supreme-Court-Nov-16-212-clickable-citations>; See also PATENT OFFICE REMOVES CRITICAL LEADER V. FACEBOOK DISCLOSURE ITEMS by Americans For Innovation, Aug. 15, 2013 <http://americans4innovation.blogspot.com/2013/08/uspto-conduct-parallels-foia.html>.</p> <p>“Patent Office Removes Critical <i>Leader v. Facebook</i> Disclosure Items” by <i>Americans For Innovation</i>, Aug. 15, 2013 <http://americans4innovation.blogspot.com/2013/08/uspto-conduct-parallels-foia.html>; See also Kathryn W. Siehndel, FOIA Deputy Counsel, U.S. Patent</p>

Fidelity Contrafund 12-31-2012

FCNTX

Fidelity Contrafund K 12-31-2012

FCNKX

FCNTX and/or FCNKX held by **Leader v. Facebook** judges &

Obama administration officials:

1. **John G. Roberts, Jr.**, Supreme Court
2. **Kimberly A. Moore**, Federal Circuit
3. **Evan J. Wallach**, Federal Circuit
4. **Howard K. Koh**, Health & Human Services
5. **Eric H. Holder**, Attorney General
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Other Fidelity "dark pool" funds held by judges and Obama cabinet:

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3. **Clarence Thomas**, Sup. Ct.
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5. **Cameron F. Kerry**, Com. GC, USPTO
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		<p>Office FOIA Response re. <i>Leader v. Facebook</i>, F-13-00218, Aug. 7, 2013 <http://www.scribd.com/doc/160572991/Patent-Office-FOIA-Response-re-Leader-v-Facebook-F-13-00218-Aug-7-2013>; also available at <https://docs.google.com/file/d/0B2SfG2nEsMfqSWQ5SLJkbERjNOU/edit?usp=sharing> and <http://www.leader.com/docs/Patent-Office-FOIA-Response-re-Leader-v-Facebook-F-13-00218-Aug-7-2013.pdf>.</p> <p>U.S. PATENT OFFICE PRESS RELEASE ANNOUNCING ITS FACEBOOK PAGE, MAY 20, 2010: "US Patent Office Page on Facebook." USPTO Press Release, May 20, 2010 <http://www.scribd.com/doc/161914552/US-Patent-Office-Page-on-Facebook-USPTO-Press-Release-May-20-2010>; See also <https://docs.google.com/file/d/0B2SfG2nEsMfqa3A1YjR1OC1sM3c/edit?usp=sharing>.</p>
k.	JPMorgan Chase	<p>Notoriously known to be directing the investing activities of Morgan Stanley, T. Rowe Price, Goldman Sachs regarding all things Facebook via Chairman Jamie Dimon. Castlight Health and athenahealth Director Ann H. Lamont is married to Edward "Ned" Lamont, grandson of the founder of JPMorgan, Thomas W. Lamont. Castlight Health and athenahealth are embroiled in the Obamacare and HealthCare.gov scandal. U.S. CTO Todd Y. Park is founder of both athenahealth and Castlight Health. Park's brother, David Y. Park, is the current chief operating officer at athenahealth. Todd Y. Park has advised the Obama administration that they are clear to make the claim that HealthCare.gov technology is open source, despite the evident <i>Leader v. Facebook</i> frauds, among others. The Lamont's hold substantial amounts of Goldman Sachs, JPMorgan and Morgan Stanley holdings which benefited remarkably from Facebook transactions.</p> <p>Ann Huntress Lamont (a.k.a. Ann H. Lamont) and Edward M. ("Ned") investments in Facebook Club Funds, invested by 2006, prepared Nov. 26, 2013 <http://www.scribd.com/doc/187452662/Ann-Huntress-Lamont-a-k-a-Ann-H-Lamont-and-Edward-M-Ned-investments-in-Facebook-Club-Funds-invested-by-2006-prepared-Nov-26-2013>; See also <https://docs.google.com/file/d/0B2SfG2nEsMfqckwwdGg2Yy10NWs/edit>.</p>

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I.	LinkedIn Corp.	Facebook director Reid Hoffman is the founder and CEO of LinkedIn. It now notoriously known that Hoffman provided business coaching and early financing to Mark Zuckerberg while he was still a student at Harvard in 2003. LinkedIn software mimics Facebook’s functionality, perhaps this is no coincidence.
m.	Morgan Stanley	Facebook’s underwriter and large investor, notoriously known. Morgan Stanley also received a \$13+ billion 2008 stimulus grant which was overseen by Facebook collaborator Lawrence “Larry” Summers , who had just recently received hundreds of thousands in speaking stipends from Morgan Stanley compatriots at Goldman Sachs earlier that year, among other perks. Summers counts Facebook COO Sheryl K. Sandberg as his protégé and former employee at the World Bank and U.S. Treasury .
n.	State Street Corporation	Fellow recipient with Goldman Sachs and Morgan Stanley of approximately \$33 billion (collectively) in 2008 stimulus funds overseen by Facebook collaborator Lawrence “Larry” Summers , who had just recently received hundreds of thousands in speaking stipends from Goldman earlier that year, among other perks.
o.	T. Rowe Price	Purchased a 5.2% stake in Facebook’s private, pre-IPO “dark pools” stock, as notoriously disclosed in the Facebook S-1 Registration. Also heavily invested in U.S. CTO Todd Y. Park’s companies athenahealth and Castlight Health , two companies closely associated with Obamacare and the current administration.
p.	Tesla Motors, Inc.	Michael G. Rhodes, Cooley Godward LLP, Facebook’s litigator in <i>Leader Technologies, Inc. v. Facebook, Inc.</i> , cv-08-862-JJF-LPS (D. Del. 2008), was appointed Chief Counsel to Tesla Motors , five months before the trial. Tesla Motors received \$465 million in energy stimulus funds at the recommendation of McBee Strategic LLC and Michael Sheehy , former National Security Adviser for House Speaker Nancy Pelosi . Zusha Elinson. “Michael Rhodes (Cooley Godward LLP, Tesla Motors).” <i>The Recorder</i> , www.callaw.com, Feb. 22, 2010 < http://www.cooley.com/files/Rhodes.The%20Recorder.2.22.10.pdf >. See also< <a 479="" 516="" 947="" 963"="" data-label="Page-Footer" href="http://www.scribd.com/doc/144432049/Zusha-Elinson-%E2%80%9CMichael-</td> </tr> </table> </div> <div data-bbox="> <p>-11-</p>

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FCNTX

Fidelity Contrafund K 12-31-2012

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		<p><u>Rhodes-THE-RECORDER-Feb-22-2010-Accessed-May-29-2013</u>>.</p> <p>Petition for Writ of Certiorari <i>Leader Technologies, Inc., v. Facebook, Inc.</i> No. 12-617, Nov. 16, 2012 <http://www.scribd.com/doc/113545399/Petition-for-Writ-of-Certiorari-Leader-Technologies-Inc-v-Facebook-Inc-No-12-617-U-S-Supreme-Court-Nov-16-212-clickable-citations></p>
q.	Wal-Mart	<p>Facebook's largest investor and director, James W. Breyer, Accel Partners LLP, was also a director at Wal-Mart and was responsible for a deep embedding of Facebook technology in the Wal-Mart site. Breyer resigned as a long time director of Wal-Mart after the Mexican bribery scandal was uncovered.</p> <p>“Vast Mexico Bribery Case Hushed Up by Wal-Mart After Top-Level Struggle - Confronted with evidence of widespread corruption in Mexico, top Wal-Mart executives focused more on damage control than on rooting out wrongdoing, an examination by The New York Times found” by David Barstow, <i>The New York Times</i>, Apr. 21, 2012 <http://www.nytimes.com/2012/04/22/business/at-wal-mart-in-mexico-a-bribe-inquiry-silenced.html?pagewanted=all& r=0>.</p>
r.	Workday Inc.	<p>This company is financed by principal Facebook investors and underwriters, including T. Rowe Price and Morgan Stanley.</p> <p>http://www.crunchbase.com/company/workday</p>

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101 Obama Cabinet Members & 11 Federal Judges involved with *Leader v. Facebook*

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Evidence Resources:

1. **Conflicts Analysis:** The most comprehensive archive of judicially recognizable source material and conflicts of interest analysis is accessible from the *Leader v. Facebook* investigative news reporting Google search tool at <http://americans4innovation.blogspot.com>.
2. **FCNTX Fidelity® Contrafund® Annual Report, December 31, 2012**, Posted March 01, 2013, Fidelity, accessed Jan. 17, 2014 <<https://fundresearch.fidelity.com/mutual-funds/view-all/316071109#composition>> (Select "Prospectus & Reports," then select "Annual Report" tab).
3. **FCNKX Fidelity Contrafund Class K Annual Report, December 31, 2012**, Posted March 01, 2013 <<https://www.actionsxchangerepository.fidelity.com/ShowDocument/ComplianceEnvelope.htm?fax=-18%2342%23-61%23-110%23114%2378%23117%2320%23-1%2396%2339%23-62%23-21%2386%23-100%2337%2316%2335%23-68%2391%23-66%2354%23103%23-16%2369%23-30%2358%23-20%2376%23-84%23-11%23-87%230%23-50%23-20%23-92%23-98%23-116%23-28%2358%23-87%23104%2321%23-22%2311%23113%2329%2375%23-58%23126%2369%2339%23-94%2329%2339%23-65%2339%23-45%23-127%23-71%23101%23-100%23-56%23-33%2371%23107%23-82%23-3%23-86%23-27%23-57%23-125%2349%23-121%23-72%23-85%23-43%23-13%23-120%2388%23-41%23-122%2320%2389%2392%239%2377%23101%2359%236%23106%2330%2335%2358%23-105%23-42%2357%2363%2334%233%23102%2339%23-57%23107%23>>; See also <<http://quote.morningstar.com/fund-filing/Annual-Report/2012/12/31/t.aspx?t=FCNKX&ft=N-CSR&d=5e15bb3e4140606d3b05b7aa21813c71>>
4. **FCNTX Fidelity Contrafund, FCNKX Fidelity Contrafund Class K, U.S. Securities & Exchange Commission, EDGAR**, accessed Jan. 17, 2014 <<http://www.sec.gov/Archives/edgar/data/24238/000079542212000136/0000795422-12-000136-index.htm> CIK [0000024238](http://www.sec.gov/Archives/edgar/data/24238/000079542212000136/0000795422-12-000136-index.htm) | Series [S000006037](http://www.sec.gov/Archives/edgar/data/24238/000079542212000136/0000795422-12-000136-index.htm) Fidelity Contrafund | Class/Contract [C000016601](http://www.sec.gov/Archives/edgar/data/24238/000079542212000136/0000795422-12-000136-index.htm) FCNTX | Class K Class/Contract [C000064233](http://www.sec.gov/Archives/edgar/data/24238/000079542212000136/0000795422-12-000136-index.htm) FCNKX.

Fidelity Low-Priced Stock 1-31-2013 FLPSX FLPKX

FLPSX, FLPKX and Fidelity funds held by ██████████
Facebook judges & Obama administration officials.

- **John G. Roberts**, Chief Justice, Supreme Court
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- **Donald M. Remy**, Army
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Yellow Highlight = Notorious Facebook collaborator

Summary of Facebook conflicts of interests.
Code of Conduct for United States Judges:

“Avoid even the appearance of impropriety.”

No.	Conflict	Notorious Facebook collaborators in whom T. Rowe Price also holds shares and other rights.	Shares	Value (000s)
1	Leader patent theft	Fidelity Cash Central Fund, 0.16% (b) (a)	2,902,217,213	\$ 2,902,217,000
2	Leader patent theft	Microsoft (b)	33,233,500	912,924,000
3	FB Dark Pools	State Street Corp (c)	460,000	25,599,000
4	Leader patent theft	Xerox Corp (d)	10,000,000	80,100,000
TOTAL				\$3,920,840,000

“...the Fund, as a shareholder in the underlying Fidelity Central Funds, will indirectly bear its pro-rata share of the fees and expenses incurred by the underlying Fidelity Central Funds.”

Money Market Funds - 9.6%		
	Shares	Value (000s)
Fidelity Cash Central Fund, 0.16% (b)	2,902,217,213	\$ 2,902,217
Fidelity Securities Lending Cash Central Fund, 0.15% (b)(c)	636,776,886	636,777
TOTAL MONEY MARKET FUNDS		
(Cost \$3,538,994)		3,538,994

Fidelity

Low-Priced Stock 1-31-2013

FLPSX

FLPKX

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Top Ten Stocks as of January 31, 2013		
	% of fund's net assets	% of fund's net assets 6 months ago
UnitedHealth Group, Inc.	3.5	3.6
Next PLC	2.9	2.6
Seagate Technology	2.8	2.9
Microsoft Corp.	2.5	3.0
Metro, Inc. Class A (sub. vtg.)	1.8	1.8
Coventry Health Care, Inc.	1.7	1.4
Ross Stores, Inc.	1.6	2.0
ENI SpA	1.4	1.3
Oracle Corp.	1.3	1.2
Bed Bath & Beyond, Inc.	1.1	1.2
	<u>20.6</u>	

FINANCIALS - 9.5%		
Capital Markets - 0.2%		
AllianceBernstein Holding LP	510,000	10,384
Federated Investors, Inc. Class B (non-vtg.) (d)	610,000	14,433
GFI Group, Inc.	500,000	1,700
Kyokuto Securities Co. Ltd.	10,000	125
State Street Corp.	460,000	25,599

Office Electronics - 0.2%		
Xerox Corp.	10,000,000	80,100

INFORMATION TECHNOLOGY - continued		
Software - continued		
MICROS Systems, Inc. (a)	25,000	\$ 1,151
Microsoft Corp.	33,233,500	912,924
Net 1 UEPS Technologies, Inc. (a)	725,000	4,154

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Relationship to Facebook (Conflict of Interest):

a.	Fidelity	<p>Annual Report, 1-31-2013: "...the Fund, as a shareholder in the underlying Fidelity Central Funds, will indirectly bear its pro-rata share of the fees and expenses incurred by the underlying Fidelity Central Funds."</p> <p>Therefore, this fund benefits from the movement of Facebook stock held by Fidelity Central Funds that purchased pre-IPO Facebook private insider stock and distributed those shares to over 30 Fidelity Funds. When one fund benefits, all benefit, including FLPSX.</p> <p>"Fidelity's Danoff Bets on Facebook, Zynga" by Miles Weiss, <i>Bloomberg</i>, Jun. 1, 2011 <http://www.bloomberg.com/news/2011-06-01/fidelity-s-danoff-bets-on-facebook-zynga.html>.</p>
b.	Microsoft	<p>Microsoft is one of Facebook's largest shareholders. This fact is notoriously known. In addition, Microsoft is a director in the "Leaders Circle" of the Federal Circuit Bar Association (FCBA), which made an appearance in the <i>Leader v. Facebook</i> appeal. Microsoft's counsel in the <i>Microsoft v. i4i</i> case in 2011 was Facebook's appeals attorney in <i>Leader v. Facebook</i>—Thomas G. Hungar, Gibson Dunn LLP. Chief Justice John G. Roberts, Jr. recused himself from that matter due to his relationship to Hungar and Microsoft. In fact, Thomas G. Hungar, Gibson Dunn LLP, was "counsel of record" for Microsoft. Also representing Microsoft in i4i was Weil Gotshal LLP, who also made an appearance for the FCBA in <i>Leader v. Facebook</i>. Despite Justice Roberts' recusal in Microsoft v. i4i, he failed to recuse himself in this matter where his conflicts were markedly more obvious, including his holdings in such Facebook "dark pool" funds as Fidelity Contrafund K which held stock in Facebook and numerous notoriously known Facebook cartel members, including athenahealth, Microsoft, Goldman Sachs, Dropbox, IBM, JPMorgan, LinkedIn, Morgan Stanley, State Street Corp, Tesla Motors, Baidu (China), and Mail.ru (Russia).</p>

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		<p>Response to Request of Federal Circuit Bar Association's Request for Reissue Re. <i>Leader v. Facebook</i>, Case No. 2011-1366 (Fed. Cir.) by Lakshmi Arunachalam, Ph.D., Sep. 17, 2012 http://www.scribd.com/doc/106156081/Response-to-Request-of-Federal-Circuit-Bar-Association-s-Request-for-Reissue-Re-Leader-v-Facebook-Case-No-2011-1366-Fed-Cir-by-Lakshmi-Arunach.</p> <p>Federal Circuit Bar Online Community, Leaders Circle 2013, accessed Dec. 10, 2013 <http://www.scribd.com/doc/190739193/Federal-Circuit-Bar-Online-Community-Leaders-Circle-2013-accessed-Dec-10-2013>.</p> <p>Microsoft Corp. v. i4i Ltd. Partnership, 131 S. Ct. 2238 - Supreme Court 2011.</p>
c.	State Street Corporation	<p>Fellow recipient with Goldman Sachs and Morgan Stanley of approximately \$33 billion (collectively) in 2008 stimulus funds overseen by Facebook collaborator Lawrence "Larry" Summers, who had just recently received hundreds of thousands in speaking stipends from Goldman earlier that year, among other perks.</p>
d.	Xerox Corp.	<p>Facebook's expert witness, Dr. Saul Greenberg, is closely associated and was formerly employed by Xerox Corp. and asserted a number of Xerox patents as alleged prior art at the <i>Leader v. Facebook</i> trial. Despite losing his arguments at trial, and in two patent reexaminations, Facebook continues to press these Xerox patents. Facebook somehow got Patent Office Director, David J. Kappos, to order an unprecedented third patent reexam of Leader's U.S. Patent No. 7,139,761. The patent examiner, Deandra Hughes has dramatically reversed her longstanding opinions on these Xerox assertions. As troubling, Kappos assigned judge Stephen C. Siu as chief patent judge in this matter, despite the fact that no one disclosed that Judge Siu was formerly employed by Microsoft.</p> <p>David J. Kappos holds substantial Facebook "dark pool" stock acquired within weeks after being appointed director of the Patent Office by President Obama.</p> <p>"Expert witness practiced 'dark arts'" by Origins of Facebook's Technology, Aug. 23, 2011 <http://facebook-technology-origins.blogspot.com/2011/08/lesson-in-expert-witness-dark-arts.html>.</p> <p>Testimony of Dr. Saul Greenberg, Expert Witness, Facebook, <i>Leader v.</i></p>

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		<p><i>Facebook</i> - Trial Transcript, Fri. Jul. 23, 2010 <http://www.scribd.com/doc/87481961/Leader-v-Facebook-Trial-Transcript-Fri-Jul-23-2010>.</p> <p>US Patent Office FOIA APPEAL, F-13-00218 in <i>Leader v. Facebook</i>, Aug. 21, 2013 <http://www.scribd.com/doc/165490215/US-Patent-Office-FOIA-APPEAL-F-13-00218-in-Leader-v-Facebook-Aug-21-2013>.</p> <p>Kappos, David J. Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT, U.S. Office of Gov't Ethics, May 16, 2009 <http://www.scribd.com/doc/182725282/Kappos-David-J-Executive-Branch-Personnel-PUBLIC-FINANCIAL-DISCLOSURE-REPORT-U-S-Office-of-Gov-t-Ethics-May-16-2009>.</p>
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2. **FLPSX Spartan® U.S. Bond Index Fund - Investor Class**, Fidelity, January 31, 2013, accessed Jan. 18, 2014 <<http://quote.morningstar.com/fund-filing/Semi-Annual-Report/2013/1/31/t.aspx?t=FLPSX&ft=N-CSRS&d=23c864ffdbfd8713c54f3104d203e0ad>>.
3. **FLPSX Spartan® U.S. Bond Index Fund - Investor Class**, Fidelity, January 31, 2013, accessed Jan. 18, 2014
<<https://www.actionsxchangerepository.fidelity.com/ShowDocument/ComplianceEnvelope.htm?fax=-18%2342%23-61%23-110%23114%2378%23117%2320%23-1%2396%2339%23-62%23-21%2386%23-100%2337%2316%2335%23-68%2391%23-66%2354%23103%23-16%2369%23-30%2358%23-20%2376%23-84%23-11%23-87%230%23-50%23-20%23-92%23-98%23-116%23-28%2358%23-38%23-43%23-39%23-42%23-96%23-88%2388%23-45%23-28%23-82%2318%2398%23-55%23-36%23-18%23-102%23-74%2335%23-89%23-105%23-67%23126%2377%23-126%23100%2345%23-44%23-73%23-15%2338%23-21%23-37%23-17%23-14%23-98%23123%23-18%2345%23-59%23-82%2367%2383%23112%2317%2370%23-78%2378%23-50%2336%23-86%23-90%2381%23-21%23-119%23-30%23120%2349%2328%23-98%2333%2351%23-78%23-119%23-16%2350%23-58%2350%23102%2348%23-17%2352%23-99%23>>.

Fidelity Low-Priced Stock 1-31-2013 FLPSX FLPKX

FLPSX, FLPKX and Fidelity funds held by [REDACTED]

Facebook judges & Obama administration officials.

- **John G. Roberts**, Chief Justice, Supreme Court
- **Kimberly A. Moore**, Federal Circuit
- **Donald M. Remy**, Army
- **Cameron F. Kerry**, Commerce

101 Obama Cabinet Members & **11 Federal Judges** involved with *Leader v. Facebook* hold one or more Fidelity Funds. 30+ Fidelity Funds invested in Facebook pre-IPO dark pools.

4. **FBIDX Spartan® U.S. Bond Index Fund - Investor Class, EDGAR**, January 31, 2013, accessed Jan. 18, 2014 <<http://www.sec.gov/Archives/edgar/data/81205/0000081205-12-000066-index.htm>> | CIK [0000081205](#) | Series [S000007152](#) | Fidelity Low-Priced Stock Fund | Class/Contract [C000019556](#) | Fidelity Low-Priced Stock Fund FLPSX | Class/Contract [C000064275](#) | Class K FLPKX

Fidelity Spartan 500 Index 2-28-2013

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FXSIX or FUSEX held by [REDACTED] *judges only*

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Summary of Facebook conflicts of interests.

Code of Conduct for United States Judges:

“Avoid even the appearance of impropriety.”

No.	Notorious Facebook collaborators in whom Fidelity Contrafund also holds shares and other rights	Conflict	Shares	Value (000s)
1	Accenture PLC Class A (d) (a)	Leader patent theft*	2,484,508	\$ 184,748
2	BlackRock, Inc. Class A (b)	FB dark pools	488,157	117,036
3	Boston Scientific Corp. (a) (c)	Leader patent theft*	5,342,315	39,480
4	Fidelity Cash Central Fund, 0.16% (b) (e)	FB dark pools	505,695,578	505,696
5	Fidelity Securities Lending Cash Central Fund, 0.16% (b)(c) (e)	FB dark pools	2,899,405,121	2,899,405
6	Goldman Sachs Group, Inc. (f)	FB dark pools	1,718,850	257,415
7	IBM Corp. (g)	Leader patent theft*	4,132,797	829,990
8	JPMorgan Chase & Co. (h)	FB dark pools	14,791,348	723,593
9	Microsoft (Expedia, Inc.) (d)	Leader patent theft*	362,095	23,116
10	Microsoft Corp. (i)	Leader patent theft*	29,473,792	819,371
11	Morgan Stanley (j)	FB dark pools	5,377,489	121,262
12	State Street Corp. (d) (k)	FB dark pools	1,808,579	102,347
13	T. Rowe Price Group, Inc. (l)	FB dark pools	991,686	70,598
14	VeriSign, Inc. (a)(d) (m)	Leader patent theft*	604,109	27,668
15	Wal-Mart Stores, Inc. (n)		6,508,201	460,650
			TOTAL	\$ 7,220,596

* Leader Technologies, Inc. U.S. Patent No. 7,139,761 for social networking.

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Relationship to Facebook (Conflict of Interest):

No.	Entity/Person	Description of the relationship to Facebook principals
a.	Accenture	<p>Appointed to replace CGI Federal as contractor responsible for HealthCare.gov. This appointment appears to be out of one Facebook cartel pocket (Michelle Obama (CGI Federal), Todd Y. Park, Robert Kocher, Ann H. Lamont) and into another cartel participant. The site continues to make intimate use of Facebook and Leader Technologies' social networking invention, including the false claims that the technology is "open source."</p> <p>"Accenture to Take Over Fixing HealthCare.gov Website" by Stephanie Armour, <i>The Wall Street Journal</i>, Jan. 12, 2014 http://online.wsj.com/news/articles/SB10001424052702303819704579316944287311118.</p>
b.	Blackrock	<p>Now notoriously known to be a Facebook pre-IPO dark pools underwriter who forced Facebook staff to sell their shares in order to create the dark pool marketplace, according to Mark Zuckerberg's former speech writer, Katherine Losse.</p> <p>http://www.scribd.com/doc/114662183/Morally-Bankrupt-American-and-Russian-Adults-and-Their-Hacker-Boy-Kings-Construct-a-Nouveau-Totalitarianism-Full-Of-Dark-Profiles-Group-think</p>
c.	Boston Scientific	<p>Site of a Leader Technologies beta testing site in the fall of 2003 for its invention, now called "social networking," where companies owned by Accel Partners LLP elicited trade secrets information just a month before Mark Zuckerberg hacked into the Harvard House sites on Oct. 28, 2003. Several months later, Facebook was on the market, supported by Facebook's largest shareholder and director, Accel Partners, James W. Breyer, Managing Partner, along with Facebook director Reid Hoffman, also CEO of LinkedIn, and along with one of Facebook's largest shareholders and director, Peter Thiel.</p> <p><i>See Leader Technologies, Inc. v. Facebook, Inc.</i>, 08-cv-862-JJF-LPS (D.Del. 2008) Trial Transcripts; <i>See also Leader v. Facebook</i> FULL DOCKET Case 08-cv-862 JJF/LPS (D.Del. 2008) http://www.scribd.com/doc/61256189/Leader-v-Facebook-FULL-DOCKET-Case-08-cv-862-JJF-LPS-D-Del-2008.</p>

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d.	Expedia (Microsoft)	<p>Notoriously known to be owned by Microsoft, one of Facebook's largest shareholders. Microsoft is a "Leader" in the "Leaders Circle" at the Federal Circuit Bar Association. Microsoft was formerly represented by Thomas G. Hungar of Gibson Dunn LLP during the <i>Microsoft v. i4i</i> proceedings. Hungar also represented the Federal Circuit judges and the Federal Circuit Bar Association in a 2010 conflicts of interest matter, yet failed to disclose these conflicts of interest when the <i>Leader v. Facebook</i> matter came before the Federal Circuit.</p> <p>Microsoft. The Federal Circuit Bar Association, "Leaders Circle" Webpage, Accessed Sep. 30, 2012 <http://www.scribd.com/doc/108466240/The-Federal-Circuit-Bar-Association-Leaders-Circle-Webpage-Accessed-Sep-30-2012>.</p>
e.	Fidelity	<p>Fund manager Robert C. Ketterson is a business and investing partner with Facebook's largest shareholder and former chairman, James W. Breyer, Accel Partners LLC. Breyer and Ketterson served for years as director of the National Venture Capital Association which also included Vanguard's Anne Rockhold (now CFO of Accel Partners LLP) and Ann H. Lamont, director of U.S. CTO Todd Y. Park's companies athenahealth and Castlight Health which are embroiled in current Obamacare and HealthCare.gov scandals. Lamont serves as a director of athenahealth and Castlight Health with Robert Kocher, Obamacare architect and member of the National Economic Council with Lawrence "Larry" Summers, former director of the Council where he oversaw the bailout of Facebook underwriters and large shareholders, Goldman Sachs and Morgan Stanley under the direction of JPMorgan Chase and Jamie Dimon.</p> <p>Annual Report, 1-31-2013: "...the Fund, as a shareholder in the underlying Fidelity Central Funds, will indirectly bear its pro-rata share of the fees and expenses incurred by the underlying Fidelity Central Funds."</p> <p>Therefore, this fund benefits from the movement of Facebook stock held by Fidelity Central Funds that purchased pre-IPO Facebook private insider stock and distributed those shares to over 30 Fidelity Funds. When one fund benefits, all benefit, including FLPSX.</p> <p>"Fidelity's Danoff Bets on Facebook, Zynga" by Miles Weiss, <i>Bloomberg</i>, Jun. 1, 2011 <http://www.bloomberg.com/news/2011-06-01/fidelity-s-danoff-bets-on-facebook-zynga.html>.</p>

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f.	Goldman Sachs	<p>Facebook's underwriter and large investor, notoriously known. Goldman also received a \$13+ billion 2008 stimulus grant which was overseen by Facebook collaborator Lawrence "Larry" Summers, who had just recently received hundreds of thousands in speaking stipends from Goldman earlier that year, among other perks. Goldman is also notoriously known to be a Moscow, Russia business partner with Russian oligarchs Alisher Usmanov and Yuri Milner. Yuri Milner is a World Bank protégé of Summers and was teamed with Facebook COO Sheryl K. Sandberg.</p> <p>Briefing for Representative Jim Jordan (OH) - HOUSE OVERSIGHT COMMITTEE - American and Russian Opportunists Undermining U.S. Sovereignty and Corrupting U.S. Financial and Judicial Systems, Oct. 19, 2012 <http://www.scribd.com/doc/110575673/Briefing-for-Representative-Jim-Jordan-OH-HOUSE-OVERSIGHT-COMMITTEE-American-and-Russian-Opportunists-Undermining-U-S-Sovereignty-and-Corruptin>.</p>
g.	IBM	<p>IBM sold Facebook 750 patents during the pendency of <i>Leader v. Facebook</i>. The former Director of the U.S. Patent Office, David J. Kappos, systematically failed to disclose his bias toward Facebook's and IBM's interests regarding all matters related to Facebook's intellectual property claims; neither has USPTO staff. Additionally, Facebook's patent counsel in these IBM transactions is Fenwick & West LLP who has substantial conflicts of interest since the firm formerly represented Leader Technologies, Inc. in 2002-2003—the company whose social networking technology is being infringed by Facebook.</p> <p>Prior to leaving his post as Director of the Patent Office, David J. Kappos ordered an unprecedented third reexamination of <i>Leader Technologies' U.S. Patent No. 7,139,761</i> using arguments identical to those that Facebook lost on at trial and in two previous reexaminations. Magically, the Examiner accepted ALL of Facebook's arguments the fourth time around and is attempting to invalidate the entire patent, even claims that were not asserted at trial.</p> <p>In addition, former IBMer David J. Kappos established a Patent Office Facebook page for over 10,000 employees during the pendency of the <i>Leader v. Facebook</i> case.</p> <p>Petition for Writ of Certiorari <i>Leader Technologies, Inc., v. Facebook, Inc.</i> No. 12-617, Nov. 16, 2012 <http://www.scribd.com/doc/113545399/Petition-for-Writ-of-Certiorari-Leader-Technologies-Inc-v-Facebook-Inc-No-12-617-U-S-Supreme-Court-Nov-16-212-clickable-citations>; See also PATENT OFFICE REMOVES</p>

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		<p>CRITICAL LEADER V. FACEBOOK DISCLOSURE ITEMS by Americans For Innovation, Aug. 15, 2013 <http://americans4innovation.blogspot.com/2013/08/uspto-conduct-parallels-foia.html>.</p> <p>“Patent Office Removes Critical <i>Leader v. Facebook</i> Disclosure Items” by <i>Americans For Innovation</i>, Aug. 15, 2013 <http://americans4innovation.blogspot.com/2013/08/uspto-conduct-parallels-foia.html>; See also Kathryn W. Siehndel, FOIA Deputy Counsel, U.S. Patent Office FOIA Response re. <i>Leader v. Facebook</i>, F-13-00218, Aug. 7, 2013 <http://www.scribd.com/doc/160572991/Patent-Office-FOIA-Response-re-Leader-v-Facebook-F-13-00218-Aug-7-2013>; also available at <https://docs.google.com/file/d/0B2SfG2nEsMfqSWQ5SLJkbERjNOU/edit?usp=sharing> and <http://www.leader.com/docs/Patent-Office-FOIA-Response-re-Leader-v-Facebook-F-13-00218-Aug-7-2013.pdf>.</p> <p>U.S. PATENT OFFICE PRESS RELEASE ANNOUNCING ITS FACEBOOK PAGE, MAY 20, 2010: "US Patent Office Page on Facebook." USPTO Press Release, May 20, 2010 <http://www.scribd.com/doc/161914552/US-Patent-Office-Page-on-Facebook-USPTO-Press-Release-May-20-2010>; See also <https://docs.google.com/file/d/0B2SfG2nEsMfqa3A1YjR1OC1sM3c/edit?usp=sharing>.</p>
h.	JPMorgan Chase	<p>Notoriously known to be directing the investing activities of Morgan Stanley, T. Rowe Price, Goldman Sachs regarding all things Facebook via Chairman Jamie Dimon. Castlight Health and athenahealth Director Ann H. Lamont is married to Edward “Ned” Lamont, grandson of the founder of JPMorgan, Thomas W. Lamont. Castlight Health and athenahealth are embroiled in the Obamacare and HealthCare.gov scandal. U.S. CTO Todd Y. Park is founder of both athenahealth and Castlight Health. Park’s brother, David Y. Park, is the current chief operating officer at athenahealth. Todd Y. Park has advised the Obama administration that they are clear to make the claim that HealthCare.gov technology is open source, despite the evident <i>Leader v. Facebook</i> frauds, among others. The Lamont’s hold substantial amounts of Goldman Sachs, JPMorgan and Morgan Stanley holdings which benefited remarkably from Facebook transactions.</p> <p>Ann Huntress Lamont (a.k.a. Ann H. Lamont) and Edward M. ("Ned") investments in Facebook Club Funds, invested by 2006, prepared Nov. 26, 2013 <http://www.scribd.com/doc/187452662/Ann-Huntress-Lamont-a-k-a-Ann-H-Lamont-and-Edward-M-Ned-investments-in-Facebook-Club-Funds-invested-by-2006-prepared-Nov-26-2013>; See also <https://docs.google.com/file/d/0B2SfG2nEsMfqckwwdGg2Yy10NWs/edit>.</p>

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i.	Microsoft	<p>Microsoft is one of Facebook's largest shareholders. This fact is notoriously known. In addition, Microsoft is a director in the "Leaders Circle" of the Federal Circuit Bar Association (FCBA), which made an appearance in the <i>Leader v. Facebook</i> appeal. Microsoft's counsel in the <i>Microsoft v. i4i</i> case in 2011 was Facebook's appeals attorney in <i>Leader v. Facebook</i>—Thomas G. Hungar, Gibson Dunn LLP. Chief Justice John G. Roberts, Jr. recused himself from that matter due to his relationship to Hungar and Microsoft. In fact, Thomas G. Hungar, Gibson Dunn LLP, was "counsel of record" for Microsoft. Also representing Microsoft in i4i was Weil Gotshal LLP, who also made an appearance for the FCBA in <i>Leader v. Facebook</i>. Despite Justice Roberts' recusal in <i>Microsoft v. i4i</i>, he failed to recuse himself in this matter where his conflicts were markedly more obvious, including his holdings in such Facebook "dark pool" funds as Fidelity Contrafund K which held stock in Facebook and numerous notoriously known Facebook cartel members, including athenahealth, Microsoft, Goldman Sachs, Dropbox, IBM, JPMorgan, LinkedIn, Morgan Stanley, State Street Corp, Tesla Motors, Baidu (China), and Mail.ru (Russia).</p> <p>Response to Request of Federal Circuit Bar Association's Request for Reissue Re. <i>Leader v. Facebook</i>, Case No. 2011-1366 (Fed. Cir.) by Lakshmi Arunachalam, Ph.D., Sep. 17, 2012 <http://www.scribd.com/doc/106156081/Response-to-Request-of-Federal-Circuit-Bar-Association-s-Request-for-Reissue-Re-Leader-v-Facebook-Case-No-2011-1366-Fed-Cir-by-Lakshmi-Arunach>.</p> <p>Federal Circuit Bar Online Community, Leaders Circle 2013, accessed Dec. 10, 2013 <http://www.scribd.com/doc/190739193/Federal-Circuit-Bar-Online-Community-Leaders-Circle-2013-accessed-Dec-10-2013>.</p> <p><i>Microsoft Corp. v. i4i Ltd. Partnership</i>, 131 S. Ct. 2238 - Supreme Court 2011.</p>
j.	Morgan Stanley	<p>Facebook's underwriter and large investor, notoriously known. Morgan Stanley also received a \$13+ billion 2008 stimulus grant which was overseen by Facebook collaborator Lawrence "Larry" Summers, who had just recently received hundreds of thousands in speaking stipends from Morgan Stanley compatriots at Goldman Sachs earlier that year, among other perks. Summers counts Facebook COO Sheryl K. Sandberg as his protégé and former employee at the World Bank and U.S. Treasury.</p>

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k.	State Street Corporation	Fellow recipient with Goldman Sachs and Morgan Stanley of approximately \$33 billion (collectively) in 2008 stimulus funds overseen by Facebook collaborator Lawrence "Larry" Summers , who had just recently received hundreds of thousands in speaking stipends from Goldman earlier that year, among other perks.
l.	T. Rowe Price	Purchased a 5.2% stake in Facebook's private, pre-IPO "dark pools" stock, as notoriously disclosed in the Facebook S-1 Registration. Also heavily invested in U.S. CTO Todd Y. Park's companies athenahealth and Castlight Health , two companies closely associated with Obamacare and the current administration.
m.	Verisign	Facebook's largest shareholder and former chairman and director, James W. Breyer, Accel Partners , is a founding financier and partner with Verisign. Archana Rai, "Verisign India chief joins VC firm Accel." <i>The Indian Economic Times</i> , Jan. 26, 2011 < http://articles.economictimes.indiatimes.com/2011-01-26/news/28425434_1_venture-capital-canaan-partners-early-stage-fund >; See also http://www.scribd.com/doc/199987940/VeriSign-India-Chief-Joins-VC-Firm-Accel-The-India-Economic-Times-Jan-26-2011
n.	Wal-Mart	Facebook's largest investor and director, James W. Breyer, Accel Partners LLP , was also a director at Wal-Mart and was responsible for a deep embedding of Facebook technology in the Wal-Mart site. Breyer resigned as a long time director of Wal-Mart after the Mexican bribery scandal was uncovered. "Vast Mexico Bribery Case Hushed Up by Wal-Mart After Top-Level Struggle - Confronted with evidence of widespread corruption in Mexico, top Wal-Mart executives focused more on damage control than on rooting out wrongdoing, an examination by The New York Times found" by David Barstow, <i>The New York Times</i> , Apr. 21, 2012 < http://www.nytimes.com/2012/04/22/business/at-wal-mart-in-mexico-a-bribe-inquiry-silenced.html?pagewanted=all&r=0 >.

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Evidence Resources:

1. **Conflicts Analysis:** The most comprehensive archive of judicially recognizable source material and conflicts of interest analysis is accessible from the *Leader v. Facebook* investigative news reporting Google search tool at <http://americans4innovation.blogspot.com>.
2. **FXSIX FUSEX Fidelity Spartan 500 Index Annual Report 2-28-13**, Morningstar, accessed Jan. 21, 2014 <<http://quote.morningstar.com/fund-filing/Annual-Report/2013/2/28/t.aspx?t=FXSIX&ft=N-CSR&d=c592943d4c45ef6a89c97d0170ef2fc4>>.
3. **FXSIX FUSEX Fidelity Spartan 500 Index, EDGAR**, accessed Jan. 17, 2014 <<http://www.sec.gov/Archives/edgar/data/819118/0000878467-12-000255-index.htm>> CIK [0000819118](#) | Series [S000006027](#) Spartan 500 Index Fund | Class/Contract [C000016555](#) Fidelity Advantage Class FUSVX | Class/Contract [C000016556](#) | Investor Class FUSEX | Class/Contract [C000100044](#) FXSIX

Print

Mutual Funds and Taxes

Distributions from mutual funds occur for several different reasons and are subject to differing tax rates. Many mutual funds bundle most of their payouts into single, net distributions at the end of each year.

Whenever a mutual fund company passes earnings and other payouts to shareholders, it's known as a distribution. The major distribution for most funds comes at the end of each year, when net amounts are calculated—capital gains and other earnings minus the expenses of running the funds.

It's up to you to report mutual fund transactions on your tax return, as well as pay the appropriate taxes on each type of fund income.

Distributions and your taxes

If you hold shares in a taxable account, you are required to pay taxes on mutual fund distributions, whether the distributions are paid out in cash or reinvested in additional shares. The funds report distributions to shareholders on IRS Form 1099-DIV after the end of each calendar year.

For any time during the year you bought or sold shares in a mutual fund, you must report the transaction on your tax return and pay tax on any gains and dividends. Additionally, as an owner of the shares in the fund, you must report and potentially pay taxes on transactions conducted by the fund, that is, whenever the fund sells securities.

If you move between mutual funds at the same company, it may not feel like you received your money back and then reinvested it; however, the transactions are treated like any other sales and purchases, and so you must report them and pay taxes on any gains.

For federal tax purposes, ordinary income is generally taxed at higher rates than qualified dividends and long-term capital gains. The chart below illustrates how each type of mutual fund income is taxed.

Mutual funds in retirement and college savings accounts

Certain accounts, such as individual retirement and college savings accounts, are tax-advantaged. If you have mutual funds in these types of accounts, you pay taxes only when earnings or pre-tax contributions are withdrawn. This information will usually be reported on Form 1099-R.

Type of distribution	Definition	Federal income tax treatment
Long-term capital gains	Net gains from the sale of shares held for more than one year; may include some distributions received from investments held by the fund	Subject to the capital gains rates, usually lower than the ordinary income tax rates
Short-term capital gains	Net gains from the sale of shares held for one year or less	May be treated as ordinary dividends, thus taxable at ordinary income tax rates
Qualified dividends	Dividends from common stock of domestic corporations and qualifying foreign corporations	Normally taxed as long-term capital gains (subject to certain holding period and hedging restrictions)
Ordinary or non-qualified dividends	Investment income earned by the fund from interest and non-qualified dividends minus expenses; often used as a blanket term that includes all taxable income except long-term capital gains.	Taxable at ordinary income tax rates
Tax-exempt interest	Some or all interest on certain bonds, usually state or local municipal bonds, designated as tax-exempt	Not taxable for federal tax purposes; may be subject to state and/or local taxes, depending on your resident state and the type of bonds purchased
Taxable interest	Interest on fixed-income securities	Taxable at ordinary income tax rates
Federal interest	Interest on federal debt instruments	Taxable at ordinary federal income tax rates, but exempt from state income tax
Required distributions	Non-investment income required to be distributed by the fund (such as foreign currency gains that are taxed as ordinary income when distributed)	Taxed as ordinary income
Return of capital	A portion of your invested principal returned to you	Not taxable

When there is no distribution

If a mutual fund does not have any capital gains, dividends, or other payouts, no distribution may occur. There may also be a non-taxable distribution. Shareholders will not be required to pay taxes if the fund

“My funds are doing great—I must owe a lot in taxes.”



This article is in the news archives --- for current news go to the [Third Branch News](#).

Transparency Takes Shape

The Judicial Conference adopted new policies on ethics and accountability in September 2006. Now policy is being put into practice with the use of automated conflict checking and the posting on the web of educational seminar sponsors.

Educational Seminars Sources

Beginning January 1, 2007, nongovernmental organizations inviting a federal judge to attend an educational program—a significant purpose of which is the education of federal or state judges—and that pay for or reimburse that judge over a certain dollar amount, will be required to disclose financial and program information on the Judiciary's website. The policy applies if the judge is invited as a speaker, panelist, or attendee. An automated system, which will be available at www.uscourts.gov, is being developed for program providers to report their information.

"The Judiciary recognizes that judges' attendance at some educational seminars had posed concerns for some," said Judge D. Brock Hornby, chair of the Judicial Conference Committee on the Judicial Branch. "Our objective in making this policy was to give greater transparency and accountability, while allowing judges to continue their education. The Committee believes that judges' access to knowledge should be neither limited nor censored."

The Judicial Conference excludes certain organizations from the disclosure policy, including state and local bar associations; national, state and local subject-matter bar associations; judicial associations; the National Judicial College; and the Judicial Division of the American Bar Association. The reporting requirement is triggered when any payment or reimbursement is above the threshold at which judges must report gifts and reimbursements on their annual financial disclosure reports—currently \$305.

Under the new Judicial Conference policy, educational program providers are required to disclose the name of the program's sponsors; the name or title of the program; dates and location of the program; various presentation topics and the expected speakers; and all the program provider's sources of support, financial or otherwise. Judges are barred from accepting reimbursements unless they first determine that the program providers have made the required disclosures. In addition, judges who accept invitations from such program providers must, within 30 days of the end of the program, file a report with their court's clerk, disclosing the dates of attendance, the name of the program providers, and the title of the education program.

Mandatory Conflict Screening Policy

Judicial circuit councils are in the process of drawing up plans to implement mandatory conflict screening.

The new conflict screening policy, approved by the Judicial Conference in September 2006, requires courts and judges to use automated screening software to help identify cases in which they may have a financial conflict of interest and should disqualify themselves. The screening can also be used to check for nonfinancial conflicts. The software has been deployed by the Administrative Office as part of the Case Management/Electronic Case Files (CM/ECF) system used by nearly all district and bankruptcy courts. As appeals courts begin implementing the CM/ECF system over the next year, they'll also begin using the accompanying conflict checking software.

THE THIRD BRANCH NEWS

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December 2006

Inside This Edition

- > 109th Congress and Pending Legislation Wrap Up
- > Planning for a Pandemic
- > A Focus on Federal Practice: An Interview with FBA President William LaForge
- > Transparency Takes Shape
- > Safeguards in Place on Tax and Personal Information
- > Bankruptcy Filings Decline in FY 2006
- > Danger: Part of the Job for Probation, Pretrial Services Officers
- > Judge Was Eyewitness to Two Worst Terrorist Attacks in U.S.
- > The Third Branch - December 2006

Judicial Milestones

Judicial Boxscore

The Third Branch Archives

Search by word or phrase:

Search by month and year:

As new matters are docketed in CM/ECF, the conflict checking software compares names of parties and attorneys to the names on a judge's recusal list.

However, the software cannot catch every conflict. And that's due in part to the ever-changing nature of big business.

"Keeping track of conflicts can be extremely complicated," said Judge Gordon J. Quist, chair of the Judicial Conference Committee on Codes of Conduct. "Especially when mergers and acquisitions lead to continual changes in investment portfolios. The parties are responsible for providing notice of corporate changes, and the courts need to make sure this happens. And judges should always perform a manual check for conflicts, in addition to the automated screening."

The AO, with the Judicial Conference Committee on Codes of Conduct and with input from judges, circuit executives and clerks of court, has prepared a model plan for conflict screening that addresses key issues and offers sample language spelling out the obligations of courts and judges. The model plan also offers a number of options for possible adoption by circuit councils or courts. For example, one option is to determine how frequently screening software will run. Circuit councils will report to the Judicial Conference on their preliminary plans by January 31, 2007.



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JUDICIAL COUNCIL OF THE DISTRICT OF COLUMBIA CIRCUIT

MANDATORY CONFLICT SCREENING PLAN

Preface: On September 19, 2006, the Judicial Conference of the United States adopted a mandatory conflict screening policy requiring courts and judges to implement automated screening to identify financial conflicts of interest. Although automated screening (like manual screening) is not foolproof, it is a valuable tool for detecting possible financial and other conflicts of interest. The Judicial Conference policy is to be administered and directed by the circuit councils or by those individual courts not subject to the authority of a circuit council.

Authority: The Judicial Council of the District of Columbia Circuit adopts this plan under the authority set forth in 28 U.S.C. § 332(d)(1) and in accordance with the mandatory financial conflict screening policy adopted on September 19, 2006, by the Judicial Conference.

§ 1. Scope. This plan applies to the court of appeals, district court, and bankruptcy court within the District of Columbia Circuit as defined by law, and to each judge of those courts in regular active service, retired under 28 U.S.C. §§ 371(b) or 372(a) and performing duties pursuant to a designation under 28 U.S.C. §§ 291 to 294, or recalled to judicial service. This plan does not apply to judges retired under 28 U.S.C. §§ 371(b) or 372(a) but not performing duties or retired judges eligible for recall but not serving on recall.

§ 2. Definitions. For purposes of this plan:

- (a) "Conflict of interest" refers to an interest that disqualifies a judge as provided in Canon 3C(1) of the Code of Conduct for United States Judges. See also 28 U.S.C. § 455(a), (b).
- (b) "Financial conflict" or "financial conflict of interest" refers to a financial interest that disqualifies a judge as provided in Canon 3C(1)(c) of the Code of Conduct for United States Judges. See also 28 U.S.C. § 455(b)(4).
- (c) "Financial interest" has the meaning set forth in Canon 3C(3)(c) of the Code of Conduct for United States Judges. See also 28 U.S.C. § 455(d)(4).
- (d) "Judge" refers to circuit, district, bankruptcy, and magistrate judges and any other judicial officers subject to the Code of Conduct for United States Judges.

§ 3. Court Obligations. Each court shall implement automated screening to identify possible financial conflicts of interest for each judge appointed, designated and assigned, transferred, temporarily assigned, or recalled to serve the court. Each court shall use the screening component of the Case Management/Electronic Case Files (CM/ECF) system or the screening component of the Appellate Information Management System (AIMS). Additionally, pursuant to § 6 of this plan the circuit council approves the use by the court of appeals of its automated calendaring program ("CABS") to further aid in the implementation of this policy. In implementing the screening, each court shall:

(a) enter the following information into the database used for automated screening or (when feasible) arrange for the parties to do so: the parties, attorneys, law firms, and corporate parents disclosed by the parties;

(b) at the request of a judge, enter the judge's conflicts list into the database used for automated screening or assist the judge or chambers staff to do so;

(c) take reasonable steps to ensure that parties and/or attorneys provide information needed for conflict screening, including corporate parent statements as required by Fed. R. App. P. 26.1, Fed. R. Bankr. P. 1007(a)(1) and 7007.1, Fed. R. Civ. P. 7.1, Fed. R. Crim. P. 12.4, and local court rules that supplement the relevant Federal Rules.

(d) conduct automated screening on a regular schedule, including screening new matters as they are assigned or to be assigned to a judge or panel and screening all existing matters periodically or after each new entry of relevant information into the database used for automated screening;

(e) notify the judge (or designee), when a possible conflict is identified;

(f) provide periodic notices to judges reminding them to review and update their conflicts lists and to review and update the designee who will receive notice when a possible conflict is identified; and

(g) provide information, training, and assistance to judges and staff to facilitate their participation in automated screening.

§ 4. Obligations of Judges. Each judge has the ultimate responsibility for identifying and avoiding conflicts of interest and should ensure that assigned matters are reviewed for conflicts before action is taken in the matter. To assist in discharging this obligation, each judge shall use automated screening to identify financial conflicts of interest by using the screening system implemented by each court to which the judge is appointed, designated and assigned, transferred, temporarily assigned, or recalled to serve. Each judge may also use the court's automated screening to identify conflicts of interest other than financial conflicts. While the United States Judicial Conference mandates the use of automated screening for conflicts, nothing in this policy precludes judges from supplementing automated screening resources by utilizing additional methods such as manual screening to identify conflicts. Each judge also shall:

(a) keep informed about personal and fiduciary financial interests, and make a reasonable effort to keep informed about the personal financial interests of the spouse and minor children residing in the household, as required by Canon 3C(2) of the Code of Conduct for United States Judges; see also 28 U.S.C. § 455(c);

(b) develop a "conflicts list," identifying financial conflicts, for use in automated screening;

- (c) review the conflicts list at regular intervals and update the conflicts list as financial interests change;
- (d) employ the conflicts list in the court's automated screening by entering the interests listed into the database used for automated screening; the information may be entered personally, by chambers staff, or with the assistance of court staff; and
- (e) when notice is provided to the judge (or designee) that a possible conflict has been identified, determine or cause to be determined whether a conflict exists and then arrange for appropriate action to resolve the conflict (i.e., nonassignment, recusal, divestiture of the interest).

§ 5. Exceptions.

(a) Upon application, the circuit council shall except a court from § 3 of this plan, and shall except the judges of that court from § 4 of this plan, where automated screening through CM/ECF, AIMS, or any other automated screening system is not available. The circuit council shall limit the duration of the exception to the time period necessary to allow the court to implement automated screening as provided in this plan.

(b) Upon application, the circuit council may except a judge from § 4 of this plan where the circumstances indicate that the judge's participation in automated screening is unnecessary to identify financial conflicts of interest or is otherwise infeasible, including in the following circumstances:

(1) the judge has no case currently assigned and is not receiving new assignments (e.g., due to serious illness); or

(2) the judge files a written certification stating that he or she knows of no financial interest attributable to the judge requiring disqualification as a financial conflict of interest and does not expect to acquire such an interest in the foreseeable future.

The circuit council shall specify the duration of the exception (i.e., a specified time period or permanent), provided, however, that an exception under § 5(b)(2) of this plan shall not exceed one year.

§ 6. Approval of Alternative Screening. A court may request that the circuit council approve an alternative automated screening system other than CM/ECF or AIMS (such alternative system may not receive automation support from the Administrative Office). The circuit council shall approve an alternative system only if its functionality is comparable to the automated screening in CM/ECF or AIMS in all major respects, including the ability to:

- (a) create and store electronically a judge's conflicts list;
- (b) compare entries on a judge's conflicts list to parties, attorneys, law firms, and corporate parents in the court's docket;
- (c) allow for screening on a regularly scheduled basis and on an ad hoc basis; and

(d) provide notice to a judge when a possible conflict is identified.

§ 7. Reporting Obligations.

(a) Each chief judge shall make such reports as are requested by the circuit council.

(b) The circuit council shall make such reports as are requested by the Judicial Conference.

§ 8. Confidentiality of Conflicts Lists. Nothing in this plan requires a court or judge to disclose the interests listed on a conflicts list to anyone except to the limited extent necessary in the court's implementation of its automated screening.

§ 9. Enforcement. Under the authority of 28 U.S.C. § 332(d)(1), courts and judges subject to this plan must comply with its requirements. A judge who violates this plan may be subject to discipline in accordance with 28 U.S.C. §§ 332(d)(2) and 351-364. A judge appointed by a court who violates this plan may be subject to discipline by the appointing court in accordance with existing customary practices.

§ 10. Effective Date. This plan takes effect on January 1, 2008.

Adopted by the Judicial Council of the District of Columbia Circuit on December 20, 2007.

