

BERKSHIRE HATHAWAY INC  
Form 4  
September 08, 2009

**FORM 4**

UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

OMB APPROVAL

OMB Number: 3235-0287  
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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
BILL & MELINDA GATES  
FOUNDATION TRUST

2. Issuer Name and Ticker or Trading Symbol  
BERKSHIRE HATHAWAY INC  
[BRK/B]

5. Relationship of Reporting Person(s) to Issuer  
  
(Check all applicable)

(Last) (First) (Middle)  
1551 EASTLAKE AVENUE E.  
  
(Street)

3. Date of Earliest Transaction  
(Month/Day/Year)  
09/04/2009

\_\_\_\_ Director  
\_\_\_\_ Officer (give title below)  
 10% Owner  
\_\_\_\_ Other (specify below)

SEATTLE, WA 98102

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
\_\_\_\_ Form filed by More than One Reporting Person

(City) (State) (Zip)

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)			
			Code	V	Amount	(A) or (D)	Price			
Class B Common Stock	09/04/2009		S <sup>(1)</sup>		20	D	\$ 3,190.08	1,644,908	D	
Class B Common Stock	09/04/2009		S		20	D	\$ 3,190.23	1,644,888	D	
Class B Common Stock	09/04/2009		S		10	D	\$ 3,194.61	1,644,878	D	
Class B Common	09/04/2009		S		140	D	\$ 3,195	1,644,738	D	

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Stock								
Class B Common Stock	09/04/2009	S	20	D	\$ 3,195.03	1,644,718	D	
Class B Common Stock	09/04/2009	S	170	D	\$ 3,195.62 <u>(2)</u>	1,644,548	D	
Class B Common Stock	09/04/2009	S	60	D	\$ 3,196.85	1,644,488	D	
Class B Common Stock	09/04/2009	S	50	D	\$ 3,197	1,644,438	D	
Class B Common Stock	09/04/2009	S	10	D	\$ 3,197.11	1,644,428	D	
Class B Common Stock	09/04/2009	S	30	D	\$ 3,198	1,644,398	D	
Class B Common Stock	09/04/2009	S	20	D	\$ 3,198.01	1,644,378	D	
Class B Common Stock	09/04/2009	S	100	D	\$ 3,199	1,644,278	D	
Class B Common Stock	09/04/2009	S	30	D	\$ 3,199.05	1,644,248	D	
Class B Common Stock	09/04/2009	S	10	D	\$ 3,200.01	1,644,238	D	
Class B Common Stock	09/04/2009	S	10	D	\$ 3,200.03	1,644,228	D	
Class B Common Stock	09/04/2009	S	30	D	\$ 3,201	1,644,198	D	
Class B Common Stock	09/04/2009	S	50	D	\$ 3,202	1,644,148	D	
Class B Common Stock	09/04/2009	S	30	D	\$ 3,204	1,644,118	D	

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Class B Common Stock	09/04/2009	S	20	D	\$ 3,204.65	1,644,098	D
Class B Common Stock	09/04/2009	S	20	D	\$ 3,204.95	1,644,078	D
Class B Common Stock	09/04/2009	S	20	D	\$ 3,205.04	1,644,058	D
Class B Common Stock	09/04/2009	S	40	D	\$ 3,206.5	1,644,018	D
Class B Common Stock	09/04/2009	S	40	D	\$ 3,206.8	1,643,978	D
Class B Common Stock	09/04/2009	S	50	D	\$ 3,207	1,643,928	D
Class B Common Stock	09/04/2009	S	107	D	\$ 3,207.5	1,643,821	D
Class B Common Stock	09/04/2009	S	43	D	\$ 3,208	1,643,778	D
Class B Common Stock	09/04/2009	S	50	D	\$ 3,208.5	1,643,728	D
Class B Common Stock	09/04/2009	S	40	D	\$ 3,210	1,643,688	D

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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(9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned**  
(e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Nu Deriv Secur Bene Own Follo Repo
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Disposed  
of (D)  
(Instr. 3,  
4, and 5)

Trans  
(Instr

Code	V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
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## Reporting Owners

### Reporting Owner Name / Address

### Relationships

Director 10% Owner Officer Other

BILL & MELINDA GATES FOUNDATION TRUST  
1551 EASTLAKE AVENUE E.  
SEATTLE, WA 98102

X

## Signatures

Bill & Melinda Gates Foundation Trust By: /s/ Laurie A. Smiley, Attorney-in-Fact for each  
of the Co-Trustees, William H. Gates III and Melinda French Gates

09/08/2009

\_\_Signature of Reporting Person

Date

## Explanation of Responses:

\* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

(1) The sales reported in this filing were made pursuant to Bill & Melinda Gates Foundation Trust's 10b5-1 sales plan to facilitate compliance with federal excise tax rules limiting excess business holdings by private foundations.

(2) This transaction was executed in multiple trades at prices ranging from \$3,195.08 to \$3,196.04. The price reported above reflects the weighted average purchase price. The reporting person hereby undertakes to provide upon request to the SEC staff, the issuer or a security holder of the issuer full information regarding the number of shares and prices at which the transactions were effected.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.