

BERKSHIRE HATHAWAY INC

Form 4

September 23, 2009

**FORM 4****UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

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

## OMB APPROVAL

OMB  
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response... 0.5

(Print or Type Responses)

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

(Last) (First) (Middle)

1551 EASTLAKE AVENUE E.

(Street)

SEATTLE, WA 98102

(City) (State) (Zip)

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

3. Date of Earliest Transaction  
(Month/Day/Year)  
09/22/2009

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

5. Relationship of Reporting Person(s) to  
Issuer

(Check all applicable)

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

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

**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            | 09/22/2009                           |                                                    | S <sup>(1)</sup>               |                                                                   | 100               | D \$ 3,341.09                                                                                 | 1,635,918                                                | D                                                     |
| Class B Common Stock            | 09/22/2009                           |                                                    | S                              |                                                                   | 170               | D \$ 3,341.85                                                                                 | 1,635,748                                                | D                                                     |
| Class B Common Stock            | 09/22/2009                           |                                                    | S                              |                                                                   | 90                | D \$ 3,341.9                                                                                  | 1,635,658                                                | D                                                     |
| Class B Common                  | 09/22/2009                           |                                                    | S                              |                                                                   | 10                | D \$ 3,341.91                                                                                 | 1,635,648                                                | D                                                     |

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Stock

|                            |            |   |     |   |                |           |   |
|----------------------------|------------|---|-----|---|----------------|-----------|---|
| Class B<br>Common<br>Stock | 09/22/2009 | S | 100 | D | \$ 3,342       | 1,635,548 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 190 | D | \$ 3,343       | 1,635,358 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 50  | D | \$<br>3,343.12 | 1,635,308 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 100 | D | \$ 3,344       | 1,635,208 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 10  | D | \$ 3,344.2     | 1,635,198 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 50  | D | \$<br>3,344.75 | 1,635,148 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 90  | D | \$<br>3,347.49 | 1,635,058 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 10  | D | \$ 3,347.6     | 1,635,048 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 90  | D | \$<br>3,348.93 | 1,634,958 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 10  | D | \$ 3,349       | 1,634,948 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 10  | D | \$<br>3,349.02 | 1,634,938 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 80  | D | \$ 3,355       | 1,634,858 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 20  | D | \$<br>3,355.36 | 1,634,838 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 60  | D | \$ 3,356.5     | 1,634,778 | D |

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|                            |            |   |     |   |                |           |   |
|----------------------------|------------|---|-----|---|----------------|-----------|---|
| Class B<br>Common<br>Stock | 09/22/2009 | S | 40  | D | \$ 3,357       | 1,634,738 | D |
| Class B<br>Common<br>Stock | 09/22/2009 | S | 300 | D | \$<br>3,359.95 | 1,634,438 | D |

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

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

SEC 1474  
(9-02)

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

| 1. Title of<br>Derivative<br>Security<br>(Instr. 3) | 2. Conversion<br>or Exercise<br>Price of<br>Derivative<br>Security | 3. Transaction Date<br>(Month/Day/Year) | 3A. Deemed<br>Execution Date, if<br>any<br>(Month/Day/Year) | 4. Transaction<br>Code<br>(Instr. 8) | 5. Number<br>of<br>Derivative<br>Securities<br>Acquired<br>(A) or<br>Disposed<br>of (D)<br>(Instr. 3,<br>4, and 5) | 6. Date Exercisable and<br>Expiration Date<br>(Month/Day/Year) | 7. Title and<br>Amount of<br>Underlying<br>Securities<br>(Instr. 3 and 4) | 8. Price of<br>Derivative<br>Security<br>(Instr. 5) | 9. Number<br>of<br>Derivative<br>Securities<br>Owned<br>Following<br>Report<br>Transaction<br>(Instr. 6) |
|-----------------------------------------------------|--------------------------------------------------------------------|-----------------------------------------|-------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------|
|                                                     |                                                                    |                                         |                                                             | Code                                 | V (A) (D)                                                                                                          | Date<br>Exercisable                                            | Expiration<br>Date                                                        | Title                                               | Amount<br>or<br>Number<br>of<br>Shares                                                                   |

## 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

09/23/2009

\_\_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).

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- (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.

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

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