

MURPHY THOMAS S
Form 5
February 14, 2013

FORM 5

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

OMB APPROVAL

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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).
Form 3 Holdings Reported Form 4 Transactions Reported

ANNUAL 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

1. Name and Address of Reporting Person *
MURPHY THOMAS S

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

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

3. Statement of Issuer's Fiscal Year Ended (Month/Day/Year)
02/14/2013

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

77 WEST 66TH STREET

(Street)

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

6. Individual or Joint/Group Reporting

(check applicable line)

NEW YORK, NY 10023

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 at end of Issuer's Fiscal Year (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
				Amount	(A) or (D)	Price			
Class B Common Stock	12/03/2004	NY	C4	300	A	\$ 0	306	I	By wife
Class B Common Stock	01/07/2005	NY	G5(1)	7	D	\$ 0	299	I	By wife
Class B Common	04/11/2006	NY	G5(1)	9	D	\$ 0	290	I	By wife

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Stock										
Class B Common Stock	06/12/2006	Â	G5 ⁽¹⁾	11	D	\$ 0	279	I	By wife	
Class B Common Stock	07/03/2006	Â	G5 ⁽¹⁾	17	D	\$ 0	262	I	By wife	
Class B Common Stock	01/03/2007	Â	S4	5	D	\$ 3,664.38	257	I	By wife	
Class B Common Stock	05/13/2008	Â	G5 ⁽¹⁾	1	D	\$ 0	256	I	By wife	
Class B Common Stock	05/13/2008	Â	G5 ⁽¹⁾	7	D	\$ 0	249	I	By wife	
Class B Common Stock	12/15/2008	Â	G5 ⁽²⁾	6	D	\$ 0	243	I	By wife	
Class B Common Stock	05/01/2009	Â	G5 ⁽¹⁾	6	D	\$ 0	237	I	By wife	
Class B Common Stock	05/04/2009	Â	G5 ⁽¹⁾	8	D	\$ 0	229	I	By wife	
Class B Common Stock	05/04/2009	Â	G5 ⁽¹⁾	11	D	\$ 0	218	I	By wife	
Class B Common Stock	05/22/2009	Â	G5 ⁽¹⁾	8	D	\$ 0	210 ⁽³⁾	I	By wife	
Class B Common Stock	02/10/2010	Â	C4	1,500	A	\$ 0	2,600 ⁽⁵⁾	D	Â	
Class B Common Stock	06/23/2010	Â	S4	333	D	\$ 79.4	2,267 ⁽⁵⁾	D	Â	
Class B Common Stock	06/25/2010	Â	S4	778	D	\$ 81.88	1,489 ⁽⁵⁾	D	Â	
Class B Common Stock	08/25/2010	Â	P4	2,295	A	\$ 76.49	2,295 ⁽⁵⁾	I	See footnote ⁽⁶⁾	

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Class B Common Stock	08/25/2010	Â	P4	2,290	A	\$ 76.49	2,290 ⁽⁵⁾	I	See footnote <u>(7)</u>
Class B Common Stock	08/30/2010	Â	P4	19,195	A	\$ 76.48	19,983 ⁽⁵⁾	I	See footnote <u>(8)</u>
Class B Common Stock	11/03/2010	Â	W5 ⁽⁴⁾	788	A	\$ 0	788 ⁽⁵⁾	I	See footnote <u>(4)</u>
Class B Common Stock	01/10/2011	Â	P4	450	A	\$ 79.55	2,745 ⁽⁵⁾	I	See footnote <u>(6)</u>
Class B Common Stock	01/10/2011	Â	P4	450	A	\$ 79.55	2,740 ⁽⁵⁾	I	See footnote <u>(7)</u>
Class B Common Stock	01/13/2011	Â	P4	1,000	A	\$ 79.55	20,983 ⁽⁵⁾	I	See footnote <u>(8)</u>

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

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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 Disposed of (D) (Instr. 3, 4, and 5)	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)
					(A) (D)	Date Exercisable Expiration Date	Title	Amount or Number of Shares
Class A Common Stock	Â	12/03/2004	Â	C4	Â 10	Â ⁽¹⁰⁾ Â ⁽¹⁰⁾	See footnote <u>(9)</u>	Â
Class A Common Stock	Â	06/21/2006	Â	S4	Â 3	Â ⁽¹⁰⁾ Â ⁽¹⁰⁾	See footnote <u>(9)</u>	Â \$ 92,1
	Â	07/20/2006	Â	S4	Â 2	Â ⁽¹⁰⁾ Â ⁽¹⁰⁾		Â \$ 92,5

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Class A Common Stock								See footnote (9)	
Class A Common Stock	07/20/2006		S4	8	(10)	(10)		See footnote (9)	\$ 90,2
Class A Common Stock	07/26/2006		S4	5	(10)	(10)		See footnote (9)	\$ 90,8
Class A Common Stock	08/28/2006		S4	2	(10)	(10)		See footnote (9)	\$ 96,1
Class A Common Stock	09/19/2006		G ⁽¹⁾	3	(10)	(10)		See footnote (9)	\$
Class A Common Stock	01/03/2007		S4	3	(10)	(10)		See footnote (9)	110,4
Class A Common Stock	01/11/2007		S4	7	(10)	(10)		See footnote (9)	110,0
Class A Common Stock	01/08/2008		S4	1	(10)	(10)		See footnote (9)	133,7
Class A Common Stock	01/09/2008		S4	12	(10)	(10)		See footnote (9)	129,9
Class A Common Stock	01/09/2008		S4	1	(10)	(10)		See footnote (9)	130,1
Class A Common Stock	02/10/2010		C4	1	(10)	(10)		See footnote (9)	(1)
Class A Common Stock	11/03/2010		W ⁽⁴⁾	67	(10)	(10)		See footnote (9)	\$
Class A Common Stock					(10)	(10)		See footnote (9)	
Class A Common Stock					(10)	(10)		See footnote (9)	

Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
MURPHY THOMAS S 77 WEST 66TH STREET NEW YORK, NY 10023	X	A	A	A

Signatures

/s/ Thomas S. 02/14/2013
Murphy

__Signature of Date
Reporting Person

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) Each of these reported transactions was a gift from Mr. Murphy's wife to a charitable organization.
- (2) This reported transaction was a gift from Mr. Murphy's wife to an individual.
- (3) On September 25, 2009 Mr. Murphy's wife died. The 173 shares of Class A Common Stock and 210 shares of Class B Common Stock beneficially owned by her at the time of her death were subsequently disposed of by her estate in transactions exempt from Section 16 of the Act pursuant to Rule 16(a)(2)(d).
- Pursuant to Rule 16a-2(d) under the Act, on November 3, 2010, the date following the expiration of 12 months following his appointment and qualification as executor of his late wife's estate, Mr. Murphy may be deemed to have acquired beneficial ownership of shares beneficially owned by the estate to the extent of his pecuniary interest in such shares. Amounts reflect the 67 shares of Class A Common Stock and 788 shares of Class B Common Stock beneficially owned by the estate on November 3, 2010. Such shares subsequently were distributed from the estate to Marital Trust No. 2, a trust of which Mr. Murphy is trustee and the beneficiary. As of December 31, 2012, Marital Trust No. 2 beneficially owned 67 shares of Class A Common Stock and, after giving effect to the subsequent transactions in respect of Class B Common Stock by the trust disclosed in this Form 5, 20,983 shares of Class B Common Stock.
- (4) Class B share amounts are after giving effect to the 50-for-1 Class B stock split that became effective on January 21, 2010.
- (5) The Marital Trust No. 1 (Subtrust No. 1) is the direct beneficial owner of these securities. Mr. Murphy is a trustee and the beneficiary of the trust.
- (6) The Marital Trust No. 1 (Subtrust No. 2) is the direct beneficial owner of these securities. Mr. Murphy is a trustee and the beneficiary of the trust.
- (7) The Marital Trust No. 2 is the direct beneficial owner of these securities.
- (8) Prior to January 21, 2010, each share of Class A Common Stock was convertible at any time at the option of the holder into 30 shares of Class B Common Stock. As of January 21, 2010, as a result of a 50-for-1 stock split that became effective on such date, each share of Class A Common Stock is convertible at any time at the option of the holder into 1,500 shares of Class B Common Stock. In accordance with the instructions to Form 5, Thomas S. Murphy's holdings of, and transactions in, shares of Class A Common Stock are reported in Table II.
- (9) Not applicable.
- (10) As of December 31, 2012, all shares of Class A Common Stock were beneficially owned indirectly by Mr. Murphy through two grantor retained annuity trusts and no shares of Class A Common Stock were directly held.
- (11)

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