

BERKSHIRE HATHAWAY INC

Form 8-K

May 05, 2010

SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

FORM 8-K

CURRENT REPORT PURSUANT TO SECTION 13 OR 15 (D) OF THE
SECURITIES EXCHANGE ACT OF 1934

DATE OF REPORT (DATE OF EARLIEST EVENT
REPORTED) May 1, 2010

BERKSHIRE HATHAWAY INC.
(EXACT NAME OF REGISTRANT AS SPECIFIED IN ITS CHARTER)

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| DELAWARE (STATE OR OTHER JURISDICTION OF INCORPORATION) | 001-14905 (COMMISSION FILE NUMBER) | 47-0813844 (I.R.S. EMPLOYER IDENTIFICATION NO.) |
|--|--|---|

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|---|---------------------|
| 3555 Farnam Street Omaha, Nebraska (ADDRESS OF PRINCIPAL EXECUTIVE OFFICES) | 68131 (ZIP CODE) |
|---|---------------------|

(402) 346-1400
REGISTRANT'S TELEPHONE NUMBER, INCLUDING AREA CODE

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

ITEM 2.02. Results of Operations and Financial Condition

On May 1, 2010, Berkshire Hathaway Inc. (“Berkshire”) held its Annual Shareholders meeting. Prior to the formal business meeting, Warren E. Buffett, Berkshire’s Chairman and Chief Executive Officer provided preliminary first quarter after-tax earnings information to those in attendance by displaying a Power Point summary of Berkshire’s preliminary first quarter after-tax earnings. Concurrent with this information being provided to the meeting attendees, Berkshire issued a press release that included the same information. A copy of the press release is attached as Exhibit 99.1 hereto. The information in this Current Report on Form 8-K, including Exhibit 99.1, shall not be deemed “filed” for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the “Exchange Act”) or otherwise subject to the liabilities of that Section, nor shall it be deemed incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, regardless of any incorporation language in such a filing.

Item 7.01. Regulation FD Disclosure.

The response to Item 2.02 is incorporated herein by reference.

Item 9.01 Financial Statements and Exhibits

| (d) | Exhibits |
|------|---------------------------------|
| 99.1 | Press Release dated May 1, 2010 |

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

May 5, 2010

BERKSHIRE HATHAWAY INC.

/s/ Marc D. Hamburg
By: Marc D. Hamburg
Senior Vice President and Chief Financial Officer