

BERKSHIRE HATHAWAY INC
Form 4
August 18, 2009

FORM 4

**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).

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**

(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)
08/17/2009

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 Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|--|
| | | | | (A) or (D) | Price | | |
| Class B Common Stock | 08/17/2009 | | S ⁽¹⁾ | 70 | D \$ 3,226.39 | 1,655,208 | D |
| Class B Common Stock | 08/17/2009 | | S | 30 | D \$ 3,226.42 | 1,655,178 | D |
| Class B Common Stock | 08/17/2009 | | S | 70 | D \$ 3,227 | 1,655,108 | D |
| Class B Common | 08/17/2009 | | S | 100 | D \$ 3,230 | 1,655,008 | D |

Stock

| | | | | | | | |
|----------------------------|------------|---|-----|---|-------------|-----------|---|
| Class B Common Stock | 08/17/2009 | S | 40 | D | \$ 3,242.5 | 1,654,968 | D |
| Class B Common Stock | 08/17/2009 | S | 10 | D | \$ 3,244.04 | 1,654,958 | D |
| Class B Common Stock | 08/17/2009 | S | 20 | D | \$ 3,244.12 | 1,654,938 | D |
| Class B Common Stock | 08/17/2009 | S | 60 | D | \$ 3,248 | 1,654,878 | D |
| Class B Common Stock | 08/17/2009 | S | 100 | D | \$ 3,250 | 1,654,778 | 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 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) | 9. Number of Derivative Securities Beneficially Owned (Instr. 6) |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--|--|
| | | | | | | Date Exercisable | Expiration Date | Title | Amount or Number of Shares |
| | | | | Code | V (A) (D) | | | | |

Reporting Owners

Reporting Owner Name / Address

Relationships

Director 10% Owner Officer Other

X

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

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

08/18/2009

__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.

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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