

Name of Person Reporting: David F. Capeless

Current Home Address: [REDACTED]

Home Phone: [REDACTED]

Office Phone: 413-443-5951

Fax Number: 413-443-0800

Office Email: david.f.capeless@state.ma.us

Name of spouse residing in household: [REDACTED]

Name of child(ren) residing in household: [REDACTED]

2. Filer is a Candidate for the office of District Attorney.

3: Positions Held

This question indicates the reason you are required to file a Statement of Financial Interests and must be completed. Identify each position you held in 2012 or now hold as a PUBLIC OFFICIAL or DESIGNATED PUBLIC EMPLOYEE and report the AMOUNT of INCOME, by category, derived from each position in 2012. If you did not earn any INCOME in any such position in 2012, complete the question, but check the "Income Not Applicable" box.

	Agency in which you serve(d)	Position Held	Dates of Employment	Income
1.	Berkshire County District Attorney's Office	District Attorney	2/13/2004 - Present	\$100,000 or more

4: Other Government Position(s)

Identify any other government position(s) held in 2012 by you and/or an IMMEDIATE FAMILY member (spouse or dependent child) in any federal, state, county, district or municipal agency, whether compensated or uncompensated, full- or part-time. Please review the Instructions which detail the information that should be disclosed.

	Name of Governmental Entity	Position Held	Filer or Immediate Family Member	Income (Filer Only)
1.	Special Commission on Oxycontin and Heroin	Member	Filer	N/A
2.	Commission On Medicolegal Investigation	Member	Filer	N/A
3.	Commission on Bullying	Member	Filer	N/A

5: Employment and Other Associations with Businesses and Non-Governmental Entities (Including Non-Profit Organizations)

Identify each BUSINESS with which you and/or an IMMEDIATE FAMILY member (spouse or dependent child) were associated in 2012 as an employee, or as a partner, sole proprietor, officer, director, or in any similar managerial capacity, whether compensated or uncompensated, full- or part-time.

	Name and Address of Business	Position Held	Filer or Immediate Family Member	Gross Income (Filer Only)
1.	[REDACTED] Communications	Owner/Principal	Spouse	N/A

6: Business Ownership/Equity

Identify any **BUSINESS** in which you and/or an **IMMEDIATE FAMILY** member owned more than 1% of the **EQUITY** at any time during 2012.

	Name of Business	Address of Business	Percent Owned (Filer Only)
1.	[REDACTED] Communications	[REDACTED]	0

7: Transfer of Ownership/Equity Interests

Identify any **EQUITY** in a **BUSINESS** (reported in Question 5 or 6) which you transferred to any **IMMEDIATE FAMILY** member at any time during 2012. You are not required to disclose the name of your spouse or any dependent child(ren). Where applicable, you should answer this portion of the question by indicating the relationship, e.g., "Filer and Child(ren)," "Spouse," "Spouse and Child(ren)" or "Child(ren)."

FILER reported no transfers of business ownership/equity interests.

8: Leaves of Absence

Identify any **BUSINESS** with which you (not an **IMMEDIATE FAMILY** member) were previously associated and with which you had an understanding at any time during 2012 regarding employment at any future time.

FILER reported no leaves of absence.

9: Gifts

Identify any **GIFTS** received by you and/or an **IMMEDIATE FAMILY** member at any time during 2012.

FILER reported no gifts.

10: Honoraria

Identify any **HONORARIUM** received by you and/or an **IMMEDIATE FAMILY** member at any time during 2012.

FILER reported no honoraria.

11: Reimbursements

Identify any **REIMBURSEMENTS** received by you and/or an **IMMEDIATE FAMILY** member at any time during 2012.

FILER reported no reimbursements.

12: State or Local Government Securities

Identify each **SECURITY** issued by the Commonwealth or any public agency thereof or county or municipality located in the Commonwealth, owned by you and/or an **IMMEDIATE FAMILY** member with a fair market value in excess of \$1,000, as of December 31, 2012, and report any **INCOME** received by you at any time from such security in 2012, if such **INCOME** was in excess of \$1,000. Please be aware that state employees who own state bonds and county employees who own county bonds may need to file a disclosure of such ownership with the

Commission, in addition to disclosure of such ownership here. Please review the Instructions for more information.

FILER reported no state or local government securities.

13: Securities and Investments

Identify each SECURITY or other INVESTMENT, including the Commonwealth's U-Fund, with a fair market value in excess of \$1,000, beneficially owned by you and/or an IMMEDIATE FAMILY member as of December 31, 2012. To report SECURITIES and INVESTMENTS held in trust, see Questions 14-21. Any INCOME received by you at any time during 2012 in excess of \$1,000 from SECURITIES issued by the Commonwealth or any public agency thereof or county or municipality located in the Commonwealth should be reported in Question 12.

	Name of Issuer	Description of Security	Principal Place of Business or State of Incorporation	Owner (Filer or Immediate Family Member)
1.	Centra Software	Common Stock	Massachusetts	Spouse
2.	Exxon-Mobil Corp.	Common Stock	Delaware	Filer
3.	Fidelity Investments	Mutual Fund	Massachusetts	Filer and Spouse
4.	Saba Software	Common Stock	Not Applicable (use in Q13 only)	Spouse
5.	Vanguard Securities	Mutual Fund	Massachusetts	Filer and Spouse

14: Business and Charitable Trusts

If you and/or an IMMEDIATE FAMILY member had a beneficial ownership interest or served as a trustee of a BUSINESS or CHARITABLE TRUST as of December 31, 2012, you need to answer this question. You are not required to disclose the address of the BUSINESS or CHARITABLE TRUST if it is the same as your current home address. Where applicable, you should answer this portion of the question with "Home Address." Please review the Instructions which detail the information that should be disclosed.

FILER reported no business or charitable trusts.

15: Business and Charitable Trust Assets

Report all securities and other investments, with a fair market value in excess of \$1,000, held in a BUSINESS or CHARITABLE

TRUST(S) and beneficially owned by you and/or an IMMEDIATE FAMILY member as of December 31, 2012. You are not required to disclose the address of a property held in the BUSINESS or CHARITABLE TRUST(S) if it is the same as your current home address. Where applicable, you should answer this portion of the question with "Home Address." Please review the Instructions which detail the information that should be disclosed.

FILER reported no business or charitable trust holdings.

16: Family Trust Assets

Report all SECURITIES and other INVESTMENTS, with a fair market value in excess of \$1,000, held in a FAMILY TRUST and beneficially owned by you and/or an IMMEDIATE FAMILY member as of December 31, 2012. If your home is held in a FAMILY TRUST, report details on the property in Question 22 if it is located in Massachusetts. You are not required to disclose your current home address. Where applicable, you should answer this portion

of the question with "Home Address." Please review the Instructions which detail the information that should be disclosed.

FILER reported no family trusts.

17: Realty Trusts

If you and/or an IMMEDIATE FAMILY member had a beneficial ownership interest or served as a trustee of a REALTY TRUST as of December 31, 2012, you need to answer this question. You are not required to disclose the address of the REALTY TRUST if it is the same as your current home address. Where applicable, you should answer this portion of the question with "Home Address." Please review the Instructions which detail the information that should be disclosed.

FILER reported no realty trusts.

18: Realty Trust: Real Property Assets

Report all real property held in a REALTY TRUST and beneficially owned by you and/or an IMMEDIATE FAMILY member as of December 31, 2012. You are not required to disclose the address of the REALTY TRUST if it is the same as your current home address. Where applicable, you should answer this portion of the question "Home Address." Please review the Instructions which detail the information that should be disclosed.

FILER reported no realty trust property holdings.

19: Business, Charitable and Realty Trusts: Mortgage Obligations

Report all mortgages, including home equity and reverse mortgage loans, as of December 31, 2012, on any property held in a BUSINESS, CHARITABLE or REALTY TRUST and disclosed in response to Question 15 and/or 18. You are not required to disclose the address of a BUSINESS, CHARITABLE or REALTY TRUST if it is the same as your current home address. Where applicable, you should answer this portion of the question "Home Address." Please review the Instructions which detail the information that should be disclosed.

FILER reported no realty trust mortgage obligations.

20: Business, Charitable, Family and Realty Trusts: Purchases/Transfers of Property in Massachusetts Only

Report all purchases by and/or transfers to any BUSINESS, CHARITABLE, FAMILY and/or REALTY TRUST of property located in Massachusetts which occurred at any time during 2012.

FILER reported no purchase/transfers of realty trust property in Massachusetts.

21: Business, Charitable, Family and Realty Trusts: Sales/Transfers of Property in Massachusetts Only

Report all sales and/or transfers by any BUSINESS, CHARITABLE, FAMILY and/or REALTY TRUST of property located in Massachusetts which occurred at any time during 2012. You are not required to disclose the name of your spouse or any dependent child(ren). Where applicable, you should answer this portion of the question by indicating the relationship, e.g., "Filer and Child(ren)," "Spouse," "Spouse and Child(ren)" or "Child(ren)."

FILER reported no sale/transfers of realty trust property in Massachusetts.

22: Real Property Owned in Massachusetts

Identify any real property in Massachusetts with an assessed value in excess of \$1,000, in which you and/or an IMMEDIATE FAMILY member held an interest as of December 31, 2012. EXCLUDE: Out-of-state property or

property located in Massachusetts held for business or rental purposes. You are not required to disclose your current home address. Where applicable, you should answer this portion of the question with "Home Address." You are not required to disclose the name of your spouse or any dependent child(ren). Where applicable, you should answer this portion of the question by indicating the relationship, e.g., "Filer and Child(ren)," "Spouse," "Spouse and Child(ren)" or "Child(ren)."

	Address of Property	Description of Property	Person(s) Holding Interest	Assessed Value (Filer Only)
1.	[REDACTED]	Primary Residence	Filer and Spouse	\$100,000 or more

23: Business, Investment and Rental Properties

Identify any real property with an assessed value in excess of \$1,000 as of December 31, 2012, regardless of location, including time-sharing arrangements, held for business, investment or rental purposes, in which you and/or an IMMEDIATE FAMILY member had a direct or indirect interest. Property held in a REALTY TRUST should be reported in Question 18. EXCLUDE: Properties held primarily for personal or family use. You are not required to disclose the name of your spouse or any dependent child(ren). Where applicable, you should answer this portion of the question by indicating the relationship, e.g., "Filer and Child(ren)," "Spouse," "Spouse and Child(ren)" or "Child(ren)."

FILER reported no investment or rental properties.

24: Real Property Purchases

Identify any real property located in Massachusetts which was purchased by or otherwise transferred to you and/or an IMMEDIATE FAMILY member at any time during 2012. Purchases of property held in a BUSINESS, CHARITABLE, FAMILY and/or REALTY TRUST should be reported in Question 20. You are not required to disclose your current home address. Where applicable, you should answer this portion of the question with "Home Address." You are not required to disclose the name of your spouse or any dependent child(ren). Where applicable, you should answer this portion of the question by indicating the relationship, e.g., "Filer and Child(ren)," "Spouse," "Spouse and Child(ren)" or "Child(ren)."

FILER reported no real property purchases.

25: Real Property Sales

Identify any real property located in Massachusetts which was sold by or otherwise transferred from you and/or an IMMEDIATE FAMILY member at any time during 2012. Sales of real property held in a BUSINESS, CHARITABLE, FAMILY and/or REALTY TRUST should be reported in Question 21. You are not required to disclose the name of your spouse or any dependent child(ren). Where applicable, you should answer this portion of the question by indicating the relationship, e.g., "Filer and Child(ren)," "Spouse," "Spouse and Child(ren)" or "Child(ren)."

FILER reported no real property sales.

26: Mortgage Loan Information

Identify all mortgages, including home equity and reverse mortgage loans, in excess of \$1,000, outstanding on December 31, 2012, for which you and/or an IMMEDIATE FAMILY member were obligated. If the mortgage loan was for your current home, exclude the original AMOUNT borrowed or owed. You are not required to disclose your current home address. Where applicable, you should answer this portion of the question with "Home Address." For an IMMEDIATE FAMILY member, do not report the AMOUNTS borrowed and owed.

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	Address of Property	Creditor Name and Address	Original Amount Borrowed and Amount Owed	Year Due and Interest Rate
1.	[REDACTED]	Pittsfield Cooperative Bank 22 South Street Pittsfield MA 01201	Original Amount: N/A Amount Owed: N/A	4.95 % 2015

27: Mortgage Receivable Information

Identify any real property located in Massachusetts on which you and/or an IMMEDIATE FAMILY member held a mortgage as of December 31, 2012. Also identify any real property located out-of-state which was held for business or rental purposes on which you and/or an IMMEDIATE FAMILY member held a mortgage as of December 31, 2012. Report the name and address of the mortgagee (the person obligated to you and/or an IMMEDIATE FAMILY member) and the assessed value by category. If the mortgage is held only by an IMMEDIATE FAMILY member, do not report the assessed value of the property. EXCLUDE: Mortgages on out-of-state property if the property is held primarily for personal or family use.

FILER reported no mortgage receivables.

28: Other Creditor Information

Identify each debt, loan or other liability, including mortgage(s), home equity and reverse mortgage loans on property located out-of-state, in excess of \$1,000, owed by you and/or an IMMEDIATE FAMILY member as of December 31, 2012. You must report the loan collateral, which is the property assigned to guarantee payment.

EXCLUDE: Any liability of \$1,000 or less; installment loans (cars, household effects, etc.); educational loans; medical and dental debts; credit card purchases (other than cash advances); support or alimony obligations; debts owed to a spouse or CLOSE RELATIVE; and debts incurred in the ordinary course of a BUSINESS. Please review the Instructions which detail the information that should be disclosed.

FILER reported no other creditor information.

29: Debts Forgiven

Identify each creditor who at any time during 2012 forgave any indebtedness in excess of \$1,000 owed by you and/or an IMMEDIATE FAMILY member. EXCLUDE: Any debts forgiven by a spouse, a CLOSE RELATIVE, or the spouse of a CLOSE RELATIVE.

FILER reported no debts forgiven.

1: I David F. Capeless certify that:

- I made a reasonably diligent effort to obtain required information concerning myself and IMMEDIATE FAMILY MEMBER(S); and
- The information provided on this form is true and complete, to the best of my knowledge.

Submitted under the pains and penalties of perjury.(4/ 30/ 2013)

The Following Immediate Family Members declined to disclose information:
The Following are the specific Question(s) for which answers were declined by each Immediate Family Member:

The following are the specific question(s) which I decline to answer in whole or in part, because I assert the information is privileged by law.
The explanation of the basis of your claim of privilege is:

N/A

