

BUFFETT WARREN E

Form 4

October 05, 2007

**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

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(Print or Type Responses)

1. Name and Address of Reporting Person \*  
BERKSHIRE HATHAWAY INC

2. Issuer Name **and** Ticker or Trading  
Symbol  
BURLINGTON NORTHERN  
SANTA FE CORP [BNI]

5. Relationship of Reporting Person(s) to  
Issuer

(Check all applicable)

(Last) (First) (Middle)  
1440 KIEWIT PLAZA  
(Street)

3. Date of Earliest Transaction  
(Month/Day/Year)  
10/03/2007

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

OMAHA, NE 68131

(City) (State) (Zip)

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

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

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

| 1. Title of<br>Security<br>(Instr. 3)                                        | 2. Transaction Date<br>(Month/Day/Year) | 2A. Deemed<br>Execution Date, if<br>any<br>(Month/Day/Year) | 3.<br>Transaction<br>Code<br>(Instr. 8) | 4. Securities Acquired (A)<br>or Disposed of (D)<br>(Instr. 3, 4 and 5) | 5. Amount of<br>Securities<br>Beneficially<br>Owned<br>Following<br>Reported<br>Transaction(s)<br>(Instr. 3 and 4) | 6.<br>Ownership<br>Form:<br>Direct (D)<br>or Indirect<br>(I)<br>(Instr. 4) | 7. Nature of<br>Ownership<br>Indirect<br>Beneficial<br>Ownership<br>(Instr. 4) |
|------------------------------------------------------------------------------|-----------------------------------------|-------------------------------------------------------------|-----------------------------------------|-------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| Common<br>Stock<br>(acquisition<br>from call<br>options<br>exercised)<br>(1) | 10/03/2007                              |                                                             | X                                       | 7,847,818<br>(2)                                                        | A \$ 40 60,828,818<br>(2) (3)                                                                                      | I                                                                          | See<br>footnotes<br>2 and 3                                                    |

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

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SEC 1474  
(9-02)

number.

**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 of<br>Derivative<br>Securities<br>Acquired (A) or<br>Disposed of (D)<br>(Instr. 3, 4, and 5) | 6. Date Exercisable and<br>Expiration Date<br>(Month/Day/Year) |     | 7. Title and Amount<br>Underlying Securities<br>(Instr. 3 and 4) |                    |                 |                            |
|-----------------------------------------------------|--------------------------------------------------------------------|-----------------------------------------|-------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-----|------------------------------------------------------------------|--------------------|-----------------|----------------------------|
|                                                     |                                                                    |                                         |                                                             | Code                                 | V                                                                                                      | (A)                                                            | (D) | Date<br>Exercisable                                              | Expiration<br>Date | Title           | Amount<br>Number<br>Shares |
| Call<br>option<br>(right to<br>buy)                 | \$ 40                                                              | 10/03/2007                              |                                                             | X                                    |                                                                                                        | 7,847,818                                                      |     | 10/03/2007                                                       | 10/03/2007         | Common<br>Stock | 7,847,818                  |

## Reporting Owners

| Reporting Owner Name / Address                                 | Relationships |           |         |       |
|----------------------------------------------------------------|---------------|-----------|---------|-------|
|                                                                | Director      | 10% Owner | Officer | Other |
| BERKSHIRE HATHAWAY INC<br>1440 KIEWIT PLAZA<br>OMAHA, NE 68131 |               | X         |         |       |
| BUFFETT WARREN E<br>1440 KIEWIT PLAZA<br>OMAHA, NE 68131       |               | X         |         |       |
| OBH INC<br>1440 KIEWIT PLAZA<br>OMAHA, NE 68131                |               | X         |         |       |
| NATIONAL INDEMNITY CO<br>3024 HARNEY STREET<br>OMAHA, NE 68131 |               | X         |         |       |

## Signatures

|                                                    |            |
|----------------------------------------------------|------------|
| Berkshire Hathaway Inc., by Marc D. Hamburg        | 10/05/2007 |
| _____<br>**Signature of Reporting Person           | Date       |
| /s/ Warren E. Buffett                              | 10/05/2007 |
| _____<br>**Signature of Reporting Person           | Date       |
| OBH, Inc., by Marc D. Hamburg                      | 10/05/2007 |
| _____<br>**Signature of Reporting Person           | Date       |
| /s/ National Indemnity Company, by Marc D. Hamburg | 10/05/2007 |
| _____<br>**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 transaction reported on this Form 4 is solely the exercise of certain call options previously reported as acquired by the Reporting Persons.

- These shares are owned by National Indemnity Company ("NICO"), a subsidiary of OBH, Inc. ("OBH"). OBH is a subsidiary of Berkshire Hathaway Inc. ("Berkshire"). Shares of Burlington Northern common stock previously held by two other subsidiaries of Berkshire, National Fire & Marine Insurance Company and Columbia Insurance Company, were transferred to NICO.

- As OBH and Berkshire are each in the chain of ownership of NICO, each of Berkshire and OBH may be deemed presently to both beneficially own and have a pecuniary interest in all shares of Burlington Northern common stock presently owned by NICO. Warren E. Buffett, as the controlling stockholder of Berkshire, may be deemed presently to beneficially own, but only to the extent he has a pecuniary interest in, the shares of Burlington Northern common stock presently owned by NICO. Mr. Buffett disclaims beneficial ownership of the reported securities except to the extent of his pecuniary interest therein.
- (4) The call options were owned by NICO.

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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