

BERKSHIRE HATHAWAY INC

Form 8-K

May 08, 2007

**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 7, 2007  
BERKSHIRE HATHAWAY INC.**

(EXACT NAME OF REGISTRANT AS SPECIFIED IN ITS CHARTER)

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

1440 Kiewit Plaza  
Omaha, Nebraska

68131

(ADDRESS OF PRINCIPAL EXECUTIVE OFFICES)

(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))
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ITEM 5.03 Amendments to Articles of Incorporation or By-laws; Change in Fiscal Year.

On May 7, 2007, the Board of Directors of Berkshire Hathaway Inc. ( Berkshire ) voted to amend Sections 8.1 and 9.1 of the by-laws of Berkshire to allow for the issuance and transfer of uncertificated shares of its stock. This amendment was adopted to allow Berkshire to participate in the Direct Registration System which, effective January 1, 2008, will be required of all NYSE listed companies. A copy of Berkshire s amended by-laws is attached as Exhibit 99.1.

ITEM 9.01 Financial Statements and Exhibits

99.1 By-laws of Berkshire Hathaway Inc. (as amended on May 7, 2007).

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 8, 2007

BERKSHIRE HATHAWAY INC.

/s/ Marc D. Hamburg

By: Marc D. Hamburg

Vice President and Chief Financial Officer