

BERKSHIRE HATHAWAY INC  
Form POS AM  
February 26, 2003

As filed with the Securities and Exchange Commission on February 26, 2003

Registration No. 333-44448

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**SECURITIES AND EXCHANGE COMMISSION**

WASHINGTON, D.C. 20549

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**POST-EFFECTIVE AMENDMENT NO. 1 TO**

**FORM S-3**

**REGISTRATION STATEMENT**

**UNDER**

**THE SECURITIES ACT OF 1933**

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**BERKSHIRE HATHAWAY INC.**

(Exact name of Registrant as specified in its Charter)

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**Delaware**

(State or Other Jurisdiction

of Incorporation or Organization)

**47-0813844**

(I.R.S. Employer

Identification Number)

**1440 Kiewit Plaza**

**Omaha, Nebraska 68131**

**(402) 346-1400**

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(Address, Including Zip Code, and Telephone Number, Including

Area Code, of Registrant's Principal Executive Offices)

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**Marc D. Hamburg**

**Berkshire Hathaway Inc.**

**1440 Kiewit Plaza**

**Omaha, Nebraska 68131**

**(402) 346-1400**

(Name, Address, Including Zip Code, and Telephone Number,

Including Area Code, of Agent For Service)

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*Copy To:*

**Mary Ann Todd**

**Munger, Tolles & Olson LLP**

**355 South Grand Avenue**

**Los Angeles, California 90071**

**(213) 683-9100**

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EXPLANATORY NOTE

The sole purpose of this amendment is to remove from registration shares of common stock remaining unsold at the termination of an offering by selling shareholders.

This Post-Effective Amendment No. 1 amends the Registration Statement on Form S-3, file number 333-44448 (the Registration Statement ), originally filed with the Securities and Exchange Commission on August 24, 2000 by Berkshire Hathaway Inc. ( Berkshire ). Berkshire filed the Registration Statement to register 2,529 shares of its Class A common stock and 1,363 shares of its Class B common stock for resale from time to time by the former shareholders of U.S. Investment Corporation ( U.S. Investment ), who acquired the shares in the acquisition of U.S. Investment by Berkshire. The Commission declared the Registration Statement effective on October 5, 2000. The offer of shares pursuant to the Registration Statement has terminated.

Pursuant to the undertaking in Item 17 of the Registration Statement, Berkshire hereby removes from registration, by means of this Post-Effective Amendment No. 1, the registered shares that were unsold at the termination of the offering pursuant to the Registration Statement.

SIGNATURES

Pursuant to the requirements of the Securities Act of 1933, the Registrant certifies that it has reasonable grounds to believe that it meets all of the requirements for filing on Form S-3 and has duly caused this Post-Effective Amendment No. 1 to the Registration Statement to be signed on its behalf by the undersigned, thereunto duly authorized, in the City of Omaha, State of Nebraska, on February 26, 2003.

BERKSHIRE HATHAWAY INC.

By: /s/ Marc D. Hamburg

Marc D. Hamburg

Vice President and Chief Financial Officer

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Pursuant to the requirements of the Securities Act of 1933, this Post-Effective Amendment No. 1 to the Registration Statement has been signed below by the following persons in the capacities and on the dates indicated.

<u>Signature</u>	<u>Title</u>	<u>Date</u>
* _____	Chairman of the Board and Director	February 26, 2003
Warren E. Buffett	(principal executive officer)	
* _____	Vice President and Chief Financial	February 26, 2003
Marc D. Hamburg	Officer (principal financial officer)	
* _____	Controller (principal accounting officer)	February 26, 2003
Daniel J. Jaksich		
* _____	Vice-Chairman of the Board and Director	February 26, 2003
Charles T. Munger		
* _____	Director	February 26, 2003
Susan T. Buffett		
* _____	Director	February 26, 2003
Malcolm G. Chace		
* _____	Director	February 26, 2003
Walter Scott, Jr.		
* _____	Director	February 26, 2003
Howard G. Buffett		
* _____	Director	February 26, 2003

Ronald L. Olson

\*By /s/ Marc D. Hamburg \_\_\_\_\_

Marc D. Hamburg

Attorney-in-Fact pursuant to Power of Attorney previously

filed as part of this Registration Statement