

Edgar Filing: DELCATH SYSTEMS INC - Form 8-K

DELCATH SYSTEMS INC
Form 8-K
December 19, 2006

UNITED STATES

SECURITIES AND EXCHANGE COMMISSION

Washington, DC 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): December 15, 2006

DELCATH SYSTEMS, INC.

(Exact name of registrant as specified in its charter)

| | | |
|---|--------------------------|--------------------------------------|
| Delaware | 001-16133 | 06-1245881 |
| (State or other jurisdiction of incorporation) | (Commission File Number) | (IRS Employer Identification No.) |

| | |
|---|------------|
| 1100 Summer Street, Stamford, Connecticut | 06905 |
| (Address of principal executive offices) | (Zip Code) |

Registrant's telephone number, including area code: (203) 323-8668

N/A

(Former name or former address, if changed since last report)

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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Section 5 - Corporate Governance and Management

Item 5.02 Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officer; Compensatory Arrangements of Certain Officers.

(a) Not applicable.

(b) On December 15, 2006, M. S. Koly resigned as President and Chief Executive Officer and Treasurer of the Company. His resignation was described in the press release of the Company dated December 18, 2006 which is filed as Exhibit 99 hereto and is incorporated herein by reference.

Mr. Koly continues to serve as a director of the Company, and the Board has elected him to the position of non-executive Chairman of the Board of Directors.

(c) On December 15, 2006, the Company's Board elected Richard Taney to serve as the Company's Interim Chief Executive Officer at a salary of \$20,000 per month.

(d) Not applicable.

Section 9 - Financial Statements and Exhibits.

Item 9.01. Financial Statements and Exhibits.

(a) Not applicable.

(b) Not applicable.

(c) Not applicable.

(d) Exhibits:

| Exhibit | Description |
|---------|--|
| 99 | Press Release dated December 18, 2006 of Delcath Systems, Inc. |

3

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.

DELCATH SYSTEMS, INC.

By: /s/ RICHARD TANEY

Richard Taney
Interim Chief Executive Officer

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Date: December 19, 2006

EXHIBIT INDEX

| Exhibit | Description |
|---------|--|
| 99 | Press Release dated December 18, 2006 of Delcath Systems, Inc. |