

DEPOMED INC  
Form 8-K  
July 09, 2018

**UNITED STATES**  
**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): **July 9, 2018**

**DEPOMED, INC.**

(Exact name of registrant as specified in its charter)

**California**  
(State or Other Jurisdiction of  
Incorporation)

**001-13111**  
(Commission File Number)

**94-3229046**  
(IRS Employer Identification No.)

**7999 Gateway Blvd., Suite 300, Newark, California 94560**

(Address of Principal Executive Offices; Zip Code)

**(510) 744-8000**

(Registrant's telephone number, including area code)

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**Not Applicable**

(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))

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

**Item 8.01 Other Events.**

On July 9, 2018, Depomed, Inc. (the Company ) announced that it is currently engaged in settlement discussions with Purdue Pharma L.P. ( Purdue ) in connection with ongoing patent infringement litigation between the Company and Purdue. As the order issued by the Court today indicates, the case and any pending motions have been administratively terminated, pending the outcome of such discussions. The Court's order does not constitute a dismissal with prejudice of the case under the Federal Rules of Civil Procedure. As further indicated in the Court's order, if settlement cannot be consummated, either party may request that the action be reopened.

**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.

**DEPOMED, INC.**

**Date:** July 9, 2018

**By:**

/s/ Erin R. McQuade  
Erin R. McQuade  
Vice President, Legal and Deputy General Counsel