

NEWTEK BUSINESS SERVICES INC
Form 8-K
August 10, 2011

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

August 10, 2011 (August 10, 2011)

Date of Report (date of Earliest Event Reported)

NEWTEK BUSINESS SERVICES, INC.

(Exact Name of Company as Specified in its Charter)

NEW YORK
(State or Other Jurisdiction of

001-16123
(Commission

11-3504638
(I.R.S. Employer

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Incorporation or Organization)

File No.)

Identification No.)

1440 Broadway, 17th floor, New York, NY 10018

(Address of principal executive offices and zip code)

(212) 356-9500

(Company's telephone number, including area code)

(Former name or former address, if changed from 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))

Forward-Looking Statements

Statements in this Current Report on Form 8-K (including the exhibits), including statements regarding Newtek Business Services, Inc.'s (Newtek or the Company) beliefs, expectations, intentions or strategies for the future, may be forward-looking statements under the Private Securities Litigation Reform Act of 1995. All forward-looking statements involve a number of risks and uncertainties that could cause actual results to differ materially from the plans, intentions and expectations reflected in or suggested by the forward-looking statements. Such risks and uncertainties include, among others, intensified competition, operating problems and their impact on revenues and profit margins, anticipated future business strategies and financial performance, anticipated future number of customers, business prospects, legislative developments and similar matters. Risk factors, cautionary statements and other conditions which could cause Newtek's actual results to differ from management's current expectations are contained in Newtek's filings with the Securities and Exchange Commission. Newtek undertakes no obligation to update any forward-looking statement contained herein to reflect events or circumstances that may arise after the date of this filing.

Item 2.02 Results of Operations and Financial Condition

On August 10, 2011, Newtek Business Services, Inc. (the Company) issued the following two press releases (collectively, the Press Releases): (a) a press release entitled Newtek Business Services, Inc. Reports Pretax Profit for the Second Quarter of 2011, a copy of which is furnished as Exhibit 99.1 to this Current Report on Form 8-K (this Current Report); and (b) a press release entitled Newtek Business Services Announces 2012 Guidance of \$4.5 million Pretax Income Midpoint, a copy of which is furnished as Exhibit 99.2 to this Current Report.

Item 7.01 Regulation FD Disclosure.

The Company will also hold a conference call on August 10, 2011 to discuss the matters set forth in the Press Releases. In conjunction with the call, the Company will distribute an investor presentation, a copy of which is furnished as Exhibit 99.3 to this Current Report. The presentation is also available on the Company's website investor relations website at <http://investor.newtekbusinessservices.com>.

The information contained in Items 2.02 and Item 7.01 of this Current Report, including Exhibits 99.1, 99.2 and 99.3 attached hereto, shall not be deemed filed for purposes of Section 18 of the Securities Exchange Act of 1934, as amended, or otherwise subject to the liabilities of that Section, and shall not be incorporated by reference into any registration statement pursuant to the Securities Act of 1933, as amended.

Item 9.01. Financial Statements and Exhibits.

(d) Exhibits.

| Exhibit Number | Description |
|----------------|--|
| 99.1 | Press Release, dated August 10, 2011, issued by the Company entitled Newtek Business Services, Inc. Reports Pretax Profit for the Second Quarter of 2011. |
| 99.2 | Press Release, dated August 10, 2011, issued by the Company entitled Newtek Business Services Announces 2012 Guidance of \$4.5 million Pretax Income Midpoint. |
| 99.3 | Investor Presentation for Conference Call on August 10, 2011. |

SIGNATURES

In accordance with the requirements of the Securities Exchange Act of 1934, the registrant has caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

NEWTEK BUSINESS SERVICES, INC.

Date: August 10, 2011

/s/ Barry Sloane
Barry Sloane
Chairman of the Board and Chief Executive Officer

EXHIBIT INDEX

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