

Edgar Filing: SPIEGEL DAVID - Form SC 13G/A

SPIEGEL DAVID  
Form SC 13G/A  
February 14, 2003

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

SCHEDULE 13G

UNDER THE SECURITIES EXCHANGE ACT OF 1934

(Amendment No. 2) \*

APOGEE TECHNOLOGY, INC.  
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(Name of Issuer)

Common  
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(Title of Class of Securities)

03760F100  
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(CUSIP Number)

December 31, 2002  
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(Date of Event Which Requires Filing of this Statement)

Check the appropriate box to designate the rule pursuant to which this Schedule is filed:

Rule 13d-1(b)

Rule 13d-1(c)

Rule 13d-1(d)

\*The remainder of this cover page shall be filled out for a reporting person's initial filing on this form with respect to the subject class of securities, and for any subsequent amendment containing information which would alter the disclosures provided in a prior cover page.

The information required in the remainder of this cover page shall not be deemed to be "filed" for the purpose of Section 18 of the Securities Exchange Act of 1934 ("Act") or otherwise subject to the liabilities of that section of the Act but shall be subject to all other provisions of the Act (however, see the Notes).

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CUSIP NO. 03760F100

13G  
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NAMES OF REPORTING PERSONS

1. S.S. OR I.R.S. IDENTIFICATION NO. OF ABOVE PERSONS (ENTITIES ONLY)

DAVID SPIEGEL

2. CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP\*  
(a)  (b)

3. SEC USE ONLY

4. CITIZENSHIP OR PLACE OF ORGANIZATION  
USA

|              |                             |         |
|--------------|-----------------------------|---------|
| NUMBER OF    | 5. SOLE VOTING POWER        | 906,966 |
| SHARES       |                             | -----   |
| BENEFICIALLY | 6. SHARED VOTING POWER      |         |
| OWNED BY     |                             | 34,959  |
| EACH         | 7. SOLE DISPOSITIVE POWER   |         |
| REPORTING    |                             | 906,966 |
| PERSON       |                             | -----   |
| WITH         | 8. SHARED DISPOSITIVE POWER |         |
|              |                             | 34,959  |

9. AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON  
941,925

10. CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (9) EXCLUDES CERTAIN SHARES\*

11. PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 9  
17.43%

12. TYPE OF REPORTING PERSON\*  
IN

\*With respect to 100 shares owned by Helen Spiegel, Mr. Spiegel's wife, 100 shares owned by Helen Spiegel as custodian for Brian Spiegel, 100 shares owned by Helen Spiegel as custodian for Beth Spiegel, and 34,659 shares owned by Benjamin Spiegel, Mr. Spiegel's son, Mr. Spiegel disclaims all beneficial ownership.

ITEM 1(a). NAME OF ISSUER:

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APOGEE TECHNOLOGY, INC.

ITEM 1(b). ADDRESS OF ISSUER'S PRINCIPAL EXECUTIVE OFFICES:  
129 Morgan Drive  
Norwood, Massachusetts 02062

ITEM 2(a). NAME OF PERSON FILING:  
David Spiegel

ITEM 2(b). ADDRESS OF PRINCIPAL BUSINESS OFFICE OR, IF NONE, RESIDENCE:  
600 Mountain Street  
Sharon, Massachusetts 02067

ITEM 2(c). CITIZENSHIP:  
USA

ITEM 2(d). TITLE OF CLASS OF SECURITIES:  
Common Stock

ITEM 2(e). CUSIP NUMBER:  
03760F100

Item 3. IF THIS STATEMENT IS FILED PURSUANT TO RULE 13d-1(b), OR 13d-2(b)  
OR (c), CHECK WHETHER THE PERSON FILING IS A:

- (a)  Broker or dealer registered under Section 15 of the Exchange Act.
- (b)  Bank as defined in Section 3(a)(6) of the Exchange Act.
- (c)  Insurance company as defined in Section 3(a)(19) of the Exchange Act.
- (d)  Investment company registered under Section 8 of the Investment Company Act.

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- (e)  An investment adviser in accordance with Rule 13d-1(b)(1)(ii)(E).
- (f)  An employee benefit plan or endowment fund in accordance with Rule 13d-1(b)(1)(ii)(F).
- (g)  A parent holding company or control person in accordance with Rule 13d-1(b)(1)(ii)(G).
- (h)  A savings association as defined in Section 3(b) of the Federal Deposit Insurance Act.
- (i)  A church plan that is excluded from the definition of an investment company under Section 3(c)(14) of the Investment

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Company Act.

(j)  Group, in accordance with Rule 13d-1(b)(1)(ii)(J).

If this statement is filed pursuant to Rule 13d-1(c), check this box.

Item 4. OWNERSHIP

- (a) Amount beneficially owned: 941,925
- (b) Percent of class: 17.43 %
- (c) Number of shares as to which such person has:
  - (i) sole power to vote or to direct the vote: 906,966
  - (ii) shared power to vote or to direct the vote: 34,959
  - (iii) sole power to dispose or to direct the disposition of: 906,966
  - (iv) shared power to dispose or to direct the disposition of: 34,959

Item 5. OWNERSHIP OF FIVE PERCENT OR LESS OF A CLASS

If this statement is being filed to report the fact that as of the date hereof the reporting person has ceased to be the beneficial owner of more than five percent of the class of securities, check the following .

Not Applicable

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Item 6. OWNERSHIP OF MORE THAN FIVE PERCENT ON BEHALF OF ANOTHER PERSON  
Not Applicable

Item 7. IDENTIFICATION AND CLASSIFICATION OF THE SUBSIDIARY WHICH ACQUIRED THE SECURITY BEING REPORTED ON BY THE PARENT HOLDING COMPANY  
Not Applicable

Item 8. IDENTIFICATION AND CLASSIFICATION OF MEMBERS OF THE GROUP  
Not Applicable

Item 9. NOTICE OF DISSOLUTION OF GROUP  
Not Applicable

After reasonable inquiry and to the best of my knowledge and belief, I certify that the information set forth in this statement is true, complete and correct.

David Spiegel

Date: February 14, 2003

By: /s/ David Spiegel

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David Spiegel

