

Pacira Pharmaceuticals, Inc.  
Form 8-K  
January 06, 2012

**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): **January 6, 2012 (January 3, 2012)**

**PACIRA PHARMACEUTICALS, INC.**

(Exact Name of Registrant as Specified in its Charter)

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

**001-35060**  
(Commission  
File Number)

**51-0619477**  
(IRS Employer  
Identification No.)

**5 Sylvan Way, Suite 100, Parsippany, New Jersey**  
(Address of Principal Executive Offices)

**07054**  
(Zip Code)

Registrant's telephone number, including area code: **(973) 254-3560**

(Former Name or Former Address, if Changed Since Last Report)

## Edgar Filing: Pacira Pharmaceuticals, Inc. - Form 8-K

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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**Item 1.02 Termination of a Material Definitive Agreement.**

On January 3, 2012, Pacira Pharmaceuticals, Inc., a California corporation ( PPI-CA ) and a wholly owned subsidiary of Pacira Pharmaceuticals, Inc., a Delaware corporation and the registrant (the Company ) received from EKR Therapeutics, Inc. ( EKR ) a notice of termination (the Notice ) of the Amended and Restated Strategic Licensing, Distribution and Marketing Agreement (the License Agreement ), dated October 15, 2009, by and between EKR and PPI-CA and the Amended and Restated Supply Agreement (the Supply Agreement ), dated October 15, 2009, by and between EKR and PPI-CA. Pursuant to the License Agreement and Supply Agreement, PPI-CA manufactures and supplies DepoDur to EKR, and EKR has exclusive distribution rights to DepoDur in North America, South America and Central America. Pursuant to the terms of the License Agreement, the termination of the License Agreement will be effective 180 days from the date of the Notice (the Notice Period ), however EKR has requested a shorter Notice Period. Pursuant to the terms of the Supply Agreement, it will terminate concurrently with the termination of the License Agreement.

**SIGNATURE**

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.

Date: January 6, 2012

PACIRA PHARMACEUTICALS, INC.

By: /s/ James Scibetta  
James Scibetta  
Chief Financial Officer