

NETWORK APPLIANCE INC  
Form 8-K  
August 04, 2005

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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 29, 2005

Network Appliance Inc.

(Exact name of registrant as specified in its charter)

Delaware

0-27130

77-0307520

(State or other jurisdiction  
of incorporation)

(Commission  
File Number)

(I.R.S. Employer  
Identification No.)

495 East Java Drive, Sunnyvale, California

94089

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code:

(408) 822-6000

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:

- 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 5.03 Amendments to Articles of Incorporation or Bylaws; Change in Fiscal Year.**

On July 29, 2005, the Board of Directors of Network Appliance, Inc., a Delaware corporation ("Registrant"), approved an amendment to Registrant's bylaws in order to allow for the electronic transmission of notice for meetings of the Board of Directors (and committees thereof) of the Registrant and the taking of actions by the Board of Directors of Registrant by electronic transmission.

The foregoing description of the amendment to Registrant's bylaws does not purport to be complete and is qualified in its entirety by reference to the bylaw amendment itself, which is filed as Exhibit 99.1 attached hereto and is incorporated herein by reference.

**Item 9.01 Financial Statements and Exhibits.**

99.1 Amendment to the Bylaws of Registrant, dated August 3, 2005.

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**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.

Network Appliance Inc.

*August 3, 2005*

By: */s/ Steven J. Gomo*

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*Name: Steven J. Gomo*

*Title: Chief Financial Officer and Executive Vice President of Finance*

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Exhibit Index

<b>Exhibit No.</b>	<b>Description</b>
99.1	Amendment to the Bylaws of Registrant, dated August 3, 2005