DYER DANIEL P Form 4

August 05, 2010

FORM 4

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

Check this box if no longer subject to Section 16. Form 4 or

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF **SECURITIES**

Form 5 obligations may continue. See Instruction

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

1(b).

(Print or Type Responses)

1. Name and Address of Reporting Person * 5. Relationship of Reporting Person(s) to 2. Issuer Name and Ticker or Trading DYER DANIEL P Issuer Symbol MARLIN BUSINESS SERVICES (Check all applicable) CORP [MRLN] (Last) (First) (Middle) 3. Date of Earliest Transaction _X__ Director X_ Officer (give title (Month/Day/Year) below) C/O MARLIN BUSINESS 08/03/2010 Chief Executive Officer SERVICES CORP., 300 FELLOWSHIP ROAD (Street) 4. If Amendment, Date Original 6. Individual or Joint/Group Filing(Check Filed(Month/Day/Year) Applicable Line)

MOUNT LAUREL, NJ 08054

(City) (State) (Zip) Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned 1.Title of 2. Transaction Date 2A. Deemed 3. 4. Securities Acquired (A) 5. Amount of 7. Nature of Transactionr Disposed of (D) Indirect Security (Month/Day/Year) Execution Date, if Securities Ownership (Instr. 3) Code (Instr. 3, 4 and 5) Beneficially Form: Beneficial (Month/Day/Year) (Instr. 8) Owned Direct (D) Ownership Following or Indirect (Instr. 4) Reported (A) Transaction(s) (Instr. 4) or (Instr. 3 and 4) Code V Amount (D) Price \$ Common 08/03/2010 $S^{(1)}$ 1,200 D 11.4279 408,379 (3) D Stock (2) \$ Common 08/04/2010 $S^{(1)}$ 5,200 D 11.7703 403,179 (3) D Stock (2) \$ Common $S^{(1)}$ 08/05/2010 5,600 D 11.7509 397,579 ⁽³⁾ D Stock (2)

OMB 3235-0287 Number: January 31,

OMB APPROVAL

2005 Estimated average burden hours per

response...

Expires:

0.5

10% Owner

X Form filed by One Reporting Person Form filed by More than One Reporting

Other (specify

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Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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SEC 1474

(9-02)

D

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transactic Code (Instr. 8)	5. orNumber of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	Expiration Date (Month/Day/Year			7. Title and Amount of Underlying Securities (Instr. 3 and 4)	
				Code V	(A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares	
Option to Purchase Common Stock	\$ 12.41					05/24/2014(4)	05/24/2017	Common Stock	39,912	
Option to Purchase Common Stock	\$ 12.41					05/24/2013(5)	05/24/2017	Common Stock	8,612 (<u>6)</u>	
Option to Purchase Common Stock	\$ 10.18					10/04/2005(7)	10/04/2011	Common Stock	51,240	
Option to Purchase Common Stock	\$ 3.39					01/17/2006(7)	01/17/2012	Common Stock	14,000	
Option to Purchase Common Stock	\$ 3.39					01/13/2007(7)	01/13/2013	Common Stock	7,000	
Option to Purchase Common Stock	\$ 10.18					01/13/2007(7)	01/13/2013	Common Stock	6,650	
	\$ 9.52					03/01/2012(7)	03/01/2015		22,642	

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Option to
Purchase
Common
Stock

Option to
Purchase
Common
Stock

Option to
Purchase
Common
Stock

03/01/2012(5) 03/01/2015 Common 31,034
Stock (8)

Reporting Owners

Reporting Owner Name / Address

Director 10% Owner Officer Other

DYER DANIEL P
C/O MARLIN BUSINESS SERVICES CORP.
300 FELLOWSHIP ROAD
MOUNT LAUREL, NJ 08054

Relationships

Other

Signatures

/s/ George D. Pelose Attorney in Fact 08/05/2010

**Signature of Reporting Person Date

Explanation of Responses:

- * If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- The sale of shares of Marlin Business Services Corp. reported on this Form 4 was executed pursuant to a written plan adopted by the reporting person on June 14, 2010, that is intended to comply with Rule 10b5-1(c) of the Securities and Exchange Act of 1934.
- (2) Represents average price per share.
- (3) Includes a total of 226,694 shares of restricted stock where, as of the date of this filing, the restrictions have not yet lapsed.
- (4) Date listed is the date of full vesting. Vests 25% per year beginning on the first anniversary of the date of grant.
- (5) Represents the date the options will cliff vest if certain four year average EPS growth targets are achieved.
 - Represents the maximum number of options that may vest under this performance option grant. Vesting will be determined by EPS
- (6) growth rates averaged over a four year performance period. Depending on the average EPS growth rate achieved for the four year period, the number of shares that vest at the end of the four year period could be 0; 2,870; 5,741; or 8,612.
- (7) Date listed is the date of full vesting. Each grants vests 25% per year beginning on the first anniversary of the date of grant.
- Represents the maximum number of options that may vest under this performance option grant. Vesting will be determined by EPS (8) growth rates averaged over a four year performance period. Depending on the average EPS growth rate achieved for the four year period, the number of shares that vest at the end of the four year period could be 0; 10,345; 20,689; or 31,034.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.

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