

MCGILL WILLIAM H JR
Form 4
April 30, 2012

FORM 4

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

OMB APPROVAL

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STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

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

(Print or Type Responses)

1. Name and Address of Reporting Person *
MCGILL WILLIAM H JR

(Last) (First) (Middle)
18167 U.S. HIGHWAY 19
NORTH, SUITE 300
(Street)

CLEARWATER, FL 33764

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol
MARINEMAX INC [HZO]

3. Date of Earliest Transaction
(Month/Day/Year)
04/26/2012

4. If Amendment, Date Original Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

Director 10% Owner
 Officer (give title below) Other (specify below)
President, Chairman, and CEO

6. Individual or Joint/Group Filing(Check Applicable Line)
 Form filed by One Reporting Person
 Form filed by More than One Reporting Person

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

| 1. Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|
| | | | Code | V | Amount | (A) or (D) | Price |
| Common Stock | 04/26/2012 | | S ⁽¹⁾ | | 12,000 | D | \$ 10.1935 |
| Common Stock | 04/26/2012 | | S ⁽¹⁾ | | 200 | D | \$ 10.46 |
| Common Stock | 04/26/2012 | | S ⁽¹⁾ | | 800 | D | \$ 10.49 |
| Common Stock | 04/26/2012 | | S ⁽¹⁾ | | 100 | D | \$ 10.499 |
| Common Stock | 04/26/2012 | | S ⁽¹⁾ | | 8,743 | D | \$ 10.5 |

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| | | | | | | | |
|--------------|------------|------------------------|---------|---|---------------------|---------|---|
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 800 | D | \$ 10.51 | 984,197 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 100 | D | \$ 10.52 | 984,097 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 100 | D | \$ 10.53 | 983,997 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 200 | D | \$ 10.54 | 983,797 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 200 | D | \$ 10.55 | 983,597 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 100 | D | \$ 10.56 | 983,497 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 600 | D | \$ 10.57 | 982,897 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 445 | D | \$ 10.5925 | 982,452 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 4,357 | D | \$ 10.6 | 978,095 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 100 | D | \$ 10.63 | 977,995 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 200 | D | \$ 10.64 | 977,795 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 100 | D | \$ 10.644 | 977,695 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 100 | D | \$ 10.67 | 977,595 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 400 | D | \$ 10.69 | 977,195 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 100 | D | \$ 10.71 | 977,095 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 200 | D | \$ 10.722 | 976,895 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 35 | D | \$ 10.74 | 976,860 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 44,500 | D | \$ 10.745 | 932,360 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 265 | D | \$ 10.75 | 932,095 | D |
| Common Stock | 04/26/2012 | <u>S⁽¹⁾</u> | 255 | D | \$ 10.78 | 931,840 | D |
| | 04/26/2012 | <u>S⁽²⁾</u> | 625,000 | D | \$ 0 ⁽²⁾ | 306,840 | D |

Common Stock

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

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number. SEC 1474 (9-02)

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

Table with 10 columns: 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. Transaction Code (Instr. 8), 5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5), 6. Date Exercisable and Expiration Date (Month/Day/Year), 7. Title and Amount of Underlying Securities (Instr. 3 and 4), 8. Price of Derivative Security (Instr. 5), 9. Number of Derivative Securities Beneficially Owned (Instr. 5). Includes sub-headers for Date Exercisable and Expiration Date, and Amount or Number of Shares.

Reporting Owners

Table with Reporting Owner Name / Address and Relationships (Director, 10% Owner, Officer, Other). Entry for MCGILL WILLIAM H JR, 18167 U.S. HIGHWAY 19 NORTH SUITE 300 CLEARWATER, FL 33764, with relationship as President, Chairman, and CEO.

Signatures

Kurt M. Frahn, Attorney-in-Fact, 04/30/2012

**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).
(1) The shares were sold pursuant to a 10b5-1 Sales Plan.
(2) In 2004, the reporting person pledged an aggregate of 850,000 shares of common stock as collateral for personal loans. Subsequently, 225,000 shares of common stock were returned upon partial repayment of the loans. The reporting person recently discovered that the lender may have fraudulently sold the remaining pledged shares and that the lender is now subject to an enforcement action by the

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Commission for allegedly fraudulently liquidating stock pledged by other borrowers such as the reporting person. Accordingly, the reporting person is reducing his beneficial ownership by the remaining 625,000 unreturned pledged shares that may have been fraudulently sold by the lender, pending resolution of the matter.

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