

RED HAT INC  
Form 8-K  
July 13, 2004

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**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

WASHINGTON, D.C. 20549

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**FORM 8-K**

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**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 13, 2004**

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**RED HAT, INC.**

(Exact Name of Registrant as Specified in Its Charter)

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

**000-26281**  
(Commission File Number)

**06-1364380**  
(I.R.S. Employer  
  
Identification Number)

**1801 Varsity Drive, Raleigh, North Carolina 27606**

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(Address of Principal Executive Offices, Including Zip Code)

(919) 754-3700

(Registrant's Telephone Number, Including Area Code)

NOT APPLICABLE

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

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**ITEM 5. OTHER EVENTS.**

On July 13, 2004, Red Hat, Inc. issued a press release announcing its intention to restate its audited financial statements for the fiscal years ended February 29, 2004, February 28, 2003, and February 28, 2002, and its unaudited financial statements for the fiscal quarter ended May 31, 2004. The full text of the press release is attached as Exhibit 99.1 to this Current Report on Form 8-K.

**ITEM 7. FINANCIAL STATEMENTS, *PRO FORMA* FINANCIAL INFORMATION AND EXHIBITS.**

(c) *Exhibits.*

<b>Exhibit No.</b>	<b>Description</b>
99.1	Press release dated July 13, 2004

**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.

RED HAT, INC.

By: /s/ Michael Cunningham

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Michael Cunningham  
General Counsel

Date: July 13, 2004

**EXHIBIT INDEX**

<u>Exhibit No.</u>	<u>Description</u>
99.1	Press release dated July 13, 2004