

GALLAGHER ARTHUR J & CO  
Form 8-K  
October 26, 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**

October 26, 2004

Date of Report: (Date of earliest event reported)

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**ARTHUR J. GALLAGHER & CO.**

(Exact name of registrant as specified in its charter)

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**Delaware**  
(State or other jurisdiction of  
incorporation or organization)

**1-9761**  
(Commission File Number)

**36-2151613**  
(I.R.S. Employer  
Identification Number)

Two Pierce Place, Itasca, Illinois 60143-3141, (630) 773-3800

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(Address, including zip code and telephone number, including area code, or registrant's principal executive offices)

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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 8.01. Other Events**

Arthur J. Gallagher & Co. (the Company ) today received a subpoena from the Connecticut Attorney General requesting information concerning possible violations by the Company of the Connecticut antitrust laws in connection with the solicitation of bids for insurance. The Company intends to cooperate fully.

The Company also stated today that it will not participate as a retail broker in volume-based or profit-based contingent commission agreements effective January 1, 2005. In addition, when allegations of bid rigging and price fixing recently came to light at Marsh, management retained independent counsel to perform an internal review. While the review is at an early stage, management has no knowledge that Gallagher has engaged in any improper practices.

**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.

**Arthur J. Gallagher & Co.**

Date: October 26, 2004

/s/ Douglas K. Howell

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Douglas K. Howell

Vice President and Chief Financial Officer

(principal financial officer and duly

authorized officer)