

Edgar Filing: DELCATH SYSTEMS INC - Form 8-K

DELCATH SYSTEMS INC  
Form 8-K  
September 29, 2006

UNITED STATES

SECURITIES AND EXCHANGE COMMISSION

Washington, DC 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): September 27, 2006

DELCATH SYSTEMS, INC.

(Exact name of registrant as specified in its charter)

|   |                                       |  |
|---|---------------------------------------|--|
| Delaware<br>(State or other jurisdiction<br>of incorporation) | 001-16133<br>(Commission File Number) | 06-1245881<br>(IRS Employer<br>Identification No.) |
|---|---------------------------------------|--|

|   |                     |
|---|---------------------|
| 1100 Summer Street, Stamford, Connecticut<br>(Address of principal executive offices) | 06905<br>(Zip Code) |
|---|---------------------|

Registrant's telephone number, including area code: (203) 323-8668

N/A

(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 (see General Instruction A.2 below):

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))

Section 8 - Other Events

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Item 8.01 Other Events.

On September 27, 2006, Delcath Systems, Inc. (the "Company") issued a press release announcing two developments in the Company's federal securities lawsuit against Laddcap Value Partners LP. The Company's press release dated September 27, 2006 is incorporated herein by reference and filed as Exhibit 99 hereto.

Section 9 - Financial Statements and Exhibits.

Item 9.01. Financial Statements and Exhibits.

- (a) Not applicable.
- (b) Not applicable.
- (c) Not applicable.
- (d) Exhibits:

| Exhibit | Description   |
|---------|---|
| 99      | Press Release dated September 27, 2006 of Delcath Systems, Inc. |

### 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.

DELCATH SYSTEMS, INC.

By: /s/ M. S. KOLY  
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M. S. Koly  
President and Chief Executive  
Officer

Date: September 29, 2006

### EXHIBIT INDEX

| Exhibit | Description   |
|---------|---|
| 99      | Press Release dated September 27, 2006 of Delcath Systems, Inc. |