

BIOLASE TECHNOLOGY INC  
Form 8-K  
May 07, 2010

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UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 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):

May 5, 2010

**Biolase Technology, Inc.**

(Exact name of registrant as specified in its charter)

Delaware

000-19627

87-0442441

(State or other jurisdiction  
of incorporation)

(Commission  
File Number)

(I.R.S. Employer  
Identification No.)

4 Cromwell, Irvine, California

92618

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code:

949-361-1200

Not Applicable

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:

- 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 5.02 Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.**

On May 5, 2010, Dr. Daniel S. Durrie and Mr. Neil J. Laird resigned from the Biolase Technology, Inc. (the "Company") Board of Directors. In connection with Mr. Laird's resignation, Mr. Gregory D. Waller, a director and member of the Company's Audit Committee, was appointed Chairman of the Audit Committee.

**Item 5.07 Submission of Matters to a Vote of Security Holders.**

On May 5, 2010, the 2010 Annual Meeting of Stockholders of the Company was held at the Company's headquarters, 4 Cromwell, Irvine, California. The following are the results of the voting on the proposals submitted to stockholders at the Annual Meeting.

1. Stockholders elected all of the Company's six nominees for director, to serve a one-year term until the 2011 Annual Meeting of Stockholders and until their respective successors are elected and qualified, as set forth below:

Robert M. Anderton DDS  
Votes For: 7,529,417  
Votes Against: 6,400,713  
Abstentions: 89,554  
Broker Non-votes: 4,937,091

George V. d'Arbeloff  
Votes For: 7,445,521  
Votes Against: 6,485,074  
Abstentions: 89,089  
Broker Non-votes: 4,937,091

James R. Largent  
Votes For: 7,469,900  
Votes Against: 6,459,665  
Abstentions: 90,119  
Broker Non-votes: 4,937,091

Federico Pignatelli  
Votes For: 13,464,983  
Votes Against: 450,712  
Abstentions: 103,989  
Broker Non-votes: 4,937,091

David M. Mulder  
Votes For: 7,542,238  
Votes Against: 6,369,375  
Abstentions: 108,071  
Broker Non-votes: 4,937,091

Gregory D. Waller  
Votes For: 7,514,193  
Votes Against: 6,403,372  
Abstentions: 102,119  
Broker Non-votes: 4,937,091

2. Stockholders ratified the selection of BDO Seidman, LLP as the Company's independent registered public accounting firm for the fiscal year ending December 31, 2010, as set forth below:

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Votes For: 18,591,943  
Votes Against: 219,300  
Abstentions: 145,532  
Broker Non-votes: 0

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**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.

Biolase Technology, Inc.

*May 6, 2010*

*By: David M. Mulder*

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*Name: David M. Mulder*  
*Title: Chief Executive Officer*