#### FIDELITY SOUTHERN CORP

Form 4/A July 19, 2013

# FORM 4

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

**OMB APPROVAL OMB** 

Check this box if no longer

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF **SECURITIES** 

3235-0287 Number: January 31,

2005

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subject to Section 16. Form 4 or Form 5

Estimated average

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Expires:

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, obligations Section 17(a) of the Public Utility Holding Company Act of 1935 or Section may continue. 30(h) of the Investment Company Act of 1940 See Instruction

(Print or Type Responses)

1(b).

1. Name and Address of Reporting Person \*

2. Issuer Name and Ticker or Trading

Issuer

**BUCHANAN DAVID** 

Symbol FIDELITY SOUTHERN CORP

(Check all applicable)

5. Relationship of Reporting Person(s) to

[LION]

(Last) (First) (Middle)

3. Date of Earliest Transaction

Director 10% Owner X\_ Officer (give title \_X\_ Other (specify below) below)

3490 PIEDMONT ROAD, #1550

(Street)

(State)

12/21/2012

(Month/Day/Year)

Vice President / Executive Officer

(Zip)

4. If Amendment, Date Original

Applicable Line)

Filed(Month/Day/Year)

\_X\_ Form filed by One Reporting Person Form filed by More than One Reporting

(Instr. 4)

6. Individual or Joint/Group Filing(Check

02/08/2013

Person

ATLANTA, GA 30305

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

1. Title of Security (Instr. 3)

(City)

2. Transaction Date 2A. Deemed (Month/Day/Year) Execution Date, if

3. 4. Securities TransactionAcquired (A) or Code Disposed of (D)

5. Amount of Securities Beneficially Owned

6. Ownership 7. Nature of Form: Direct Indirect (D) or Indirect Beneficial Ownership (I)

(Instr. 3, 4 and 5) (Month/Day/Year) (Instr. 8)

Following Reported Transaction(s)

Code V Amount (D) Price

(A)

(Instr. 3 and 4)

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)

(Instr. 4)

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

1. Title of Derivative Conversion Security or Exercise

3. Transaction Date 3A. Deemed (Month/Day/Year)

Execution Date, if any

4. 5. TransactionNumber Code of

6. Date Exercisable and **Expiration Date** (Month/Day/Year)

7. Title and Amount of **Underlying Securities** (Instr. 3 and 4)

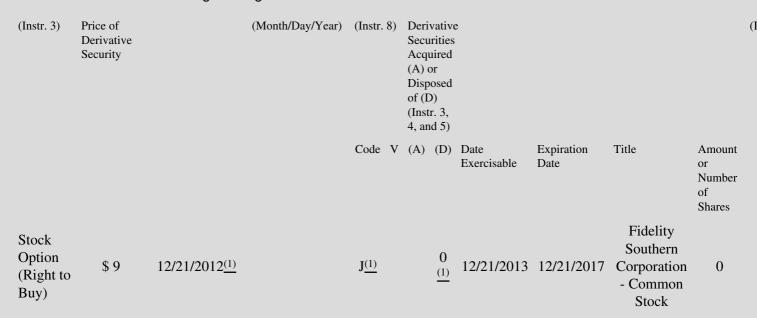
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#### Edgar Filing: FIDELITY SOUTHERN CORP - Form 4/A



## **Reporting Owners**

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
BUCHANAN DAVID 3490 PIEDMONT ROAD, #1550 ATLANTA, GA 30305			Vice President	Executive Officer

## **Signatures**

Barbara McNeill, Attorney in Fact for David
Buchanan

07/19/2013

\*\*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).

As reported on a Form 4 filed on February 8, 2013, by the reporting person, the reporting person reported that on December 21, 2012, he acquired stock options to purchase 50,000 shares of common stock pursuant to the Company's Equity Incentive Plan. However, the Company subsequently determined that stock options to purchase 50,000 shares of common stock were not validly granted pursuant to

(1) the Company's Equity Incentive Plan because in aggregate with other equity awards in 2012 they exceeded the limit on the number of stock options that may be granted to any individual participant within one calendar year. Accordingly, the attempted grant of these excess stock options was ineffective, and they were never granted to the reporting person. The reporting person is filing this amendment to report that no stock options were acquired on December 21, 2012.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.

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