

BANK OF THE OZARKS INC
Form POS AM
August 21, 2013

As filed with the Securities and Exchange Commission on August 21, 2013.

Registration No. 333-187564

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

Post-Effective Amendment No. 1

to

FORM S-4

REGISTRATION STATEMENT

UNDER

THE SECURITIES ACT OF 1933

BANK OF THE OZARKS, INC.

(Exact name of registrant as specified in its charter)

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Arkansas (State or other jurisdiction of incorporation or organization)	6022 (Primary Standard Industrial Classifications Code Number) 17901 Chenal Parkway Little Rock, Arkansas 72223 (501) 978-2265	71-0556208 (I.R.S. Employer Identification Number)
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(Address, including zip code, and telephone number, including area code, of registrant's principal executive offices)

Greg L. McKinney
Chief Financial Officer and Chief Accounting Officer
Bank of the Ozarks, Inc.
17901 Chenal Parkway
Little Rock, Arkansas 72223
Tel. (501) 978-2265

(Name, address, including zip code, and telephone number, including area code, of agent for service)

With copies of all communications to:

H. Watt Gregory, III
Kutak Rock LLP
124 West Capitol Avenue, Suite 2000
Little Rock, Arkansas 72201
Tel. (501) 975-3000

Neil E. Grayson
Nelson Mullins Riley & Scarborough LLP
104 South Main Street, Suite 900
Greenville, South Carolina 29601
Tel. (864) 250-2300

Approximate date of commencement of proposed sale of the securities to the public: Not Applicable.

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If the securities being registered on this Form are being offered in connection with the formation of a holding company and there is compliance with General Instruction G, check the following box. "

If this Form is filed to register additional securities for an offering pursuant to Rule 462(b) under the Securities Act, check the following box and list the Securities Act registration number of the earlier effective registration statement for the same offering. "

If this Form is a post-effective amendment filed pursuant to Rule 462(d) under the Securities Act, check the following box and list the Securities Act registration statement number of the earlier effective registration statement for the same offering. "

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer, or a smaller reporting company. See the definitions of large accelerated filer, accelerated filer and smaller reporting company in Rule 12b-2 of the Exchange Act.

Large accelerated filer

Accelerated filer

Non-accelerated filer (Do not check if a smaller reporting company)

Smaller reporting company

If applicable, place an X in the box to designate the appropriate rule provision relied upon in conducting this transaction:

Exchange Act Rule 13e-4(i) (Cross-Border Issuer Tender Offer)

Exchange Act Rule 14d-1(d) (Cross-Border Third-Party Tender Offer)

DEREGISTRATION OF UNSOLD SECURITIES

Bank of the Ozarks, Inc., an Arkansas corporation (the Registrant), filed Registration Statement No. 333-187564 on Form S-4 (the Registration Statement) with the Securities and Exchange Commission on March 27, 2013, as amended by Amendment No. 1, filed on April 30, 2013, as further amended by Amendment No. 2, filed on May 9, 2013, as further amended by Amendment No. 3, filed on May 24, 2013, as further amended by Amendment No. 4, filed on June 4, 2013, and as further amended by Amendment No. 5, filed on June 11, 2013, which registered 2,370,370 shares of the Registrant s common stock in connection with the Registrant s acquisition of The First National Bank of Shelby. The Registrant issued a total of 1,257,385 shares of the Registrant s common stock pursuant to the Registration Statement in connection with the merger.

Following the merger, the Registrant terminated the offering of shares of its common stock registered on the Registration Statement. Pursuant to the undertaking made by the Registrant in the Registration Statement to remove from registration by means of a post-effective amendment any of the securities being registered which remain unsold at the termination of the offering, the Registrant is filing this Post-Effective Amendment No. 1 to the Registration Statement to deregister all of the securities which remain unsold under the Registration Statement.

SIGNATURES

Pursuant to the requirements of the Securities Act, the registrant has duly caused this Post-Effective Amendment No. 1 to the Registration Statement to be signed on its behalf by the undersigned, thereunto duly authorized, in the City of Little Rock, State of Arkansas, on August 21, 2013.

BANK OF THE OZARKS, INC.

(Registrant)

By: /s/ Greg L. McKinney
 Greg L. McKinney
 Chief Financial Officer and Chief Accounting
 Officer

Pursuant to the requirements of the Securities Act of 1933, this Post-Effective Amendment No. 1 to the Registration Statement has been signed by the following persons in the capacities and on the dates indicated.

SIGNATURE	TITLE	DATE
/s/ George G. Gleason George G. Gleason (Principal Executive Officer)	Chairman of the Board and Chief Executive Officer	August 21, 2013
/s/ Greg L. McKinney Greg L. McKinney (Principal Financial Officer and Accounting Officer)	Chief Financial Officer and Chief Accounting Officer	August 21, 2013
Dan Thomas	Vice Chairman, Chief Lending Officer and President Estate Specialties Group	Real August __, 2013
*	Director	August 21, 2013
Jean Arehart		
*	Director	August 21, 2013
Nicholas Brown		
*	Director	August 21, 2013
Richard Cisne		
*	Director	August 21, 2013
Robert East		
	Director	August __, 2013

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Catherine Freedberg

*

Director

August 21, 2013

Linda Gleason

Director

August __, 2013

Peter Kenny

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*	Director	August 21, 2013
Henry Mariani		
*	Director	August 21, 2013
Robert Proost		
*	Director	August 21, 2013
R.L. Qualls		
*	Director	August 21, 2013
John Reynolds		
*	Director	August 21, 2013
Sherece West-Scantlebury		
*By: /s/ Greg L. McKinney Greg L. McKinney Attorney-in-Fact for person indicated		August 21, 2013