

BANK OF THE OZARKS INC
Form POS AM
September 14, 2016

As filed with the Securities and Exchange Commission on September 14, 2016.

Registration No. 333-208352

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)

Arkansas
(State or other jurisdiction of

6022
(Primary Standard Industrial

71-0556208
(I.R.S. Employer

incorporation or organization) **Classifications Code Number)** **Identification Number)**
17901 Chenal Parkway
Little Rock, Arkansas 72223
(501) 978-2265

(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	Helen W. Brown	Mark C. Kanaly
Kutak Rock LLP	Bank of the Ozarks, Inc.	Alston & Bird LLP
124 West Capitol Avenue, Suite 2000	17901 Chenal Parkway	1201 W. Peachtree Street N.W.
Little Rock, AR 72201	Little Rock, AR 72223	Atlanta, GA 30309
Tel. (501) 975-3000	Tel. (501) 978-2265	Tel. (404) 881-7000

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. "

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

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.

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)

This Post-Effective Amendment No. 1 to Registration Statement on Form S-4 (No. 333-208352) shall hereafter become effective in accordance with the provisions of Section 8(c) of the Securities Act of 1933, as amended.

DEREGISTRATION OF SECURITIES

Bank of the Ozarks, Inc., an Arkansas corporation (the Registrant), filed Registration Statement No. 333-208352 on Form S-4 (the Registration Statement) with the Securities and Exchange Commission (SEC) on December 4, 2015, as amended by Amendment No. 1 filed on December 10, 2015 and declared effective by the SEC on December 10, 2015, which registered 23,447,134 shares of the Registrant s common stock to be issued to stockholders and equity award holders of Community & Southern Holdings, Inc. (C&S) in connection with the merger of C&S with and into the Registrant. The Registrant delivered a total of 20,983,815 shares of the Registrant s common stock to C&S stockholders and equity award holders 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 the 2,463,319 shares of the Registrant s common stock that were issued but unsold under the Registration Statement.

SIGNATURES

Pursuant to the requirements of the Securities Act of 1933, the registrant has duly caused this Post-Effective Amendment No. 1 to the Registration Statement to be signed on its behalf by the undersigned hereunto duly authorized, in the City of Little Rock, State of Arkansas, on September 14, 2016.

BANK OF THE OZARKS, INC.

By: /s/ Greg McKinney
 Name: Greg McKinney
 Title: Chief Financial Officer and
 Chief Accounting Officer

Pursuant to the requirements of the Securities Act of 1933, this registration statement has been signed by the following persons in the capacities and on the dates indicated.

SIGNATURE	TITLE	DATE
/s/ George Gleason George Gleason	Chairman of the Board, Chief Executive Officer and Director	September 14, 2016
/s/ Greg McKinney Greg McKinney	Chief Financial Officer and Chief Accounting Officer	September 14, 2016
* Dan Thomas	Vice Chairman, President Real Estate Specialties Group and Chief Lending Officer and Director	September 14, 2016
* Nicholas Brown	Director	September 14, 2016
* Paula Cholmondeley	Director	September 14, 2016
* Richard Cisne	Director	September 14, 2016
* Robert East	Director	September 14, 2016

Catherine B. Freedberg

* Director September 14, 2016

Linda Gleason

* Director September 14, 2016

Peter Kenny

*	Director	September 14, 2016
William Koefoed		
*	Director	September 14, 2016
Henry Mariani		
	Director	
Walter J. Mullen, III		
*	Director	September 14, 2016
Robert Proost		
*	Director	September 14, 2016
John Reynolds		
*	Director	September 14, 2016
Ross Whipple		

*By: /s/ Greg L. McKinney
Attorney-in-fact for persons indicated