

DELCATH SYSTEMS INC  
Form 8-K  
September 06, 2006

**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) **September 6, 2006**

**Delcath Systems, Inc.**

(Exact name of registrant as specified in its charter)

**Delaware**

(State or other jurisdiction  
of incorporation)

**001-16133**

(Commission  
File Number)

**06-1245881**

(IRS Employer  
Identification No.)

**1100 Summer Street  
Stamford, Connecticut**

(Address of principal executive offices)  
**(203) 323-8668**

**06905**

(Zip Code)

(Registrant's telephone number, including area code.)

**N/A**

(Former name and 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)

## Edgar Filing: DELCATH SYSTEMS INC - Form 8-K

- o Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - o Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - o Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
-

**Item 8.01 Other Events**

On September 6, 2006, Delcath Systems, Inc. (the Company ) issued a press release announcing the issuance of a letter by the Company to its shareholders. A copy of this press release is attached hereto as Exhibit 99.1 and is incorporated by reference herein. A copy of the transcript excerpt from the U.S. Federal District Court proceeding referenced in the press release is also attached hereto as Exhibit 99.2 and is incorporated by reference herein.

**Item 9.01 Financial Statements and Exhibits**

**(a) Financial Statements of Businesses Acquired.**

Not applicable.

**(b) Pro Forma Financial Information.**

Not applicable.

**(c) Exhibits.**

The following materials are attached as exhibits to this Current Report on Form 8-K:

<b>Exhibit Number</b>	<b>Description</b>
99.1	Press Release of Delcath Systems, Inc., dated September 6, 2006.
99.2	Transcript excerpt from proceeding in United States Federal District Court.

**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.

Date: September 6, 2006

**DELCATH SYSTEMS, INC.**

By: */s/ M. S. Koly*

\_\_\_\_\_  
Name: M. S. Koly

Title: President and Chief Executive Officer

---

**EXHIBIT INDEX**

<b>Exhibit Number</b>	<b>Description</b>
99.1	Press Release of Delcath Systems, Inc., dated September 6, 2006.
99.2	Transcript excerpt from proceeding in United States Federal District Court.

---