

EMISPHERE TECHNOLOGIES INC
Form 8-K
October 30, 2008

**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) **October 24, 2008**

Emisphere Technologies, Inc.

(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction
of incorporation)

1-10615
(Commission File Number)

13-3306985
(IRS Employer Identification No.)

240 Cedar Knolls Road, Suite 200,
Cedar Knolls, New Jersey
(Address of principal executive offices)
Registrant's telephone number, including area code: **973-532-8000**

07927
(Zip Code)

(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))

Item 5.02. Departure of Directors or Principal Officers; Election of Directors; Appointment of Principal Officers.

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Paul Lubetkin, the Vice President, General Counsel and Corporate Secretary of Emisphere Technologies, Inc. (the "Company"), left the Company, effective October 24, 2008, in order to pursue other interests.

On October 30, 2008, the Company issued a press release announcing Mr. Lubetkin's departure. The text of the press release is attached hereto as Exhibit 99.1.

Item 9.01. Financial Statements and Exhibits.

(d) Exhibits.

Exhibit Number	Description
99.1	Press release of Emisphere Technologies, Inc., dated October 30, 2008

SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Emisphere Technologies, Inc.

(Registrant)

/s/ **MICHAEL R. GARONE**

October 30, 2008

(Date)

Michael R. Garone
Chief Financial Officer

EXHIBIT INDEX

Exhibit Number	Description
99.1	Press release of Emisphere Technologies, Inc., dated October 30, 2008