

Edgar Filing: LOCKWOOD DAVID - Form 3

LOCKWOOD DAVID
Form 3
February 20, 2003

OMB APPROVAL

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U.S. SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM 3

INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,
Section 17(a) of the Public Utility Holding Company Act of 1935 or
Section 30(f) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person*

Lockwood David

(Last) (First) (Middle)

c/o Schulte Roth & Zabel LLP, Attn: Stuart D. Freedman, Esq., 919 Third Avenue

(Street)

New York NY 10022

(City) (State) (Zip)

2. Date of Event Requiring Statement (Month/Day/Year)

02/13/2003

3. IRS Identification Number of Reporting Person, if an entity (voluntary)

4. Issuer Name AND Ticker or Trading Symbol

Liberate Technologies (OTC - LBRT.PK)

5. Relationship of Reporting Person(s) to Issuer
(Check all applicable)

Director 10% Owner
 Officer (give title below) Other (specify below)

6. If Amendment, Date of Original (Month/Day/Year)

NOT APPLICABLE

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7. Individual or Joint/Group Filing (Check Applicable Line)

- Form filed by One Reporting Person
 Form filed by More than One Reporting Person

TABLE I -- NON-DERIVATIVE SECURITIES BENEFICIALLY OWNED

| 1. Title of Security (Instr. 4) | 2. Amount of Securities Beneficially Owned (Instr. 4) | 3. Ownership Form: Direct (D) or Indirect (I) (Instr. 5) | 4. Nature (Instr.) |
|------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|
| Common Stock, \$0.01 par value (CUSIP: 530129105) | 3,807,201 | D(1) | |
| Common Stock, \$0.01 par value (CUSIP: 530129105) | 8,225,700 | I | (2) |
| Common Stock, \$0.01 par value (CUSIP: 530129105) | 8,225,700 | D(3) | |
| Common Stock, \$0.01 par value (CUSIP: 530129105) | 8,225,700 | I | (4) |

* If the form is filed by more than one reporting person, SEE Instruction 5(b)(v).

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.

(Over)
 SEC 1473 (07-02)
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FORM 3 (continued)

TABLE II -- DERIVATIVE SECURITIES BENEFICIALLY OWNED

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(E.G., PUTS, CALLS, WARRANTS, OPTIONS, CONVERTIBLE SECURITIES)

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| 1. Title of Derivative Security (Instr. 4) | 2. Date Exercisable and Expiration Date (Month/Day/Year) | | 3. Title and Amount of Securities Underlying Derivative Security (Instr. 4) | 4. Conversion or Exercise Price of Derivative Security |
|--------------------------------------------|----------------------------------------------------------|-----------------|-----------------------------------------------------------------------------|--------------------------------------------------------|
| | Date Exercisable | Expiration Date | Amount or Number of Shares | |
| Not Applicable | | | | |

Explanation of Responses:

(1) The shares of Common Stock to which this note relates are held directly by David Lockwood in his Individual Retirement Account.

(2) The shares of Common Stock to which this note relates are held indirectly by David Lockwood, in his capacity as the Managing Member of Lockwood Capital Advisors LLC, which is the Managing Member of Lockwood Fund LLC.

(3) The shares of Common Stock to which this note relates are held directly by Lockwood Fund LLC.

(4) The shares of Common Stock to which this note relates are held indirectly by Lockwood Capital Advisors LLC, in its capacity as the Managing Member of Lockwood Fund LLC.

| | |
|----------------------------------------------------------------------------------------|------------------------------------|
| /s/ David Lockwood ----- Name: David Lockwood **Signature of Reporting Person | February 19, 2003 ----- Date |
|----------------------------------------------------------------------------------------|------------------------------------|

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. SEE 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

NOTE: File three copies of this Form, one of which must be manually signed. If space provided is insufficient, SEE Instruction 6 for procedure.

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 number.

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JOINT FILER INFORMATION

Name: Lockwood Fund LLC
Address: c/o Schulte Roth & Zabel LLP
919 Third Avenue
New York, NY 10022
Attn: Stuart D. Freedman, Esq.
Designated Filer: David Lockwood
Issuer Name: Liberate Technologies (OTC: LBRT.PK)
Date of Event Requiring Statement: 02/13/03

LOCKWOOD FUND LLC
By: LOCKWOOD CAPITAL ADVISORS LLC, its Managing Member

/s/ David Lockwood 02/19/2003

Name: David Lockwood, Date
as Managing Member

Name: Lockwood Capital Advisors LLC
Address: c/o Schulte Roth & Zabel LLP
919 Third Avenue
New York, NY 10022
Attn: Stuart D. Freedman, Esq.
Designated Filer: David Lockwood
Issuer Name: Liberate Technologies (OTC: LBRT.PK)
Date of Event Requiring Statement: 02/13/03

LOCKWOOD CAPITAL ADVISORS LLC

/s/ David Lockwood 02/19/2003

Name: David Lockwood, Date
as Managing Member