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NETSCOUT SYSTEMS INC
Form 8-K
January 15, 2004

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

January 15, 2004

Date of report (Date of earliest event reported)

NetScout Systems, Inc.

(Exact name of Registrant as specified in charter)

Delaware

0000-26251

04-2837575

(State or Other Jurisdiction
of Incorporation)

(Commission File
Number)

(I.R.S. Employer
Identification No.)

310 Littleton Road
Westford, Massachusetts

01886

(Address of Principal Executive Offices)

(Zip Code)

(978) 614-4000

Registrant's telephone number, including area code

Not Applicable

(Former Name or Former Address, if Changed Since Last Report)

Item 12. Results of Operations and Financial Condition.

The following information and the Exhibit attached hereto shall not be deemed "filed" for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the "Exchange Act") or otherwise subject to the liabilities of that section, nor shall it be deemed incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, except as expressly set forth by specific reference in such filing.

On January 15, 2004, NetScout issued a press release regarding its financial results for the quarter ended December 31, 2003, its expectations of future performance and its intention to hold a conference call regarding these topics. NetScout's press release is furnished as Exhibit 99.1 to this report and is incorporated herein by reference.

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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.

NETSCOUT SYSTEMS, INC.

Date: January 15, 2004

By: /s/ David P. Sommers

David P. Sommers
Chief Financial Officer and Senior Vice
President, General Operations

EXHIBIT INDEX

Exhibit No.	Description
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99.1	Press release dated January 15, 2004.

Owner Name / Address Relationships Director 10% Owner Officer Other Coughlin Timothy P
NEUROCRINE BIOSCIENCES, INC.
12790 EL CAMINO REAL
SAN DIEGO, CA 92130 VP and Chief Financial Officer

Signatures

Margaret E. Valeur-Jensen, By Power of Attorney 02/29/2008

**Signature of Reporting Person Date

Explanation of Responses:

- * If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Represents option of which 1/3 of the shares underlying the option becomes vested and exercisable on February 27, 2009, February 27, 2010 and February 27, 2011, respectively.
- (2) Each restricted stock unit represents a contingent right to receive one share of Neurocrine Common Stock.
- (3) The restricted stock units will vest annually at 1/3 of the units vesting on March 27, 2009, February 27, 2010, and February 27, 2011, respectively.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.