

EMISPHERE TECHNOLOGIES INC
Form 8-K
August 11, 2009

**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): August 11, 2009

Emisphere Technologies, Inc.

(Exact name of registrant as specified in its charter)

Delaware

000-17758

13-3306985

(State or other jurisdiction
of incorporation)

(Commission
File Number)

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

240 Cedar Knolls Road, Suite 200,
Cedar Knolls, New Jersey

07927

(Address of principal
executive offices)

(Zip Code)

Registrant's telephone number, including area code: 973-532-8000
Not Applicable

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 2.02 Results of Operations and Financial Condition.

On August 11, 2009, Emisphere Technologies, Inc. (the Company) issued a press release announcing results of operations for the second quarterly period ended June 30, 2009. A copy of the press release is furnished herewith and is incorporated by reference herein as Exhibit 99.1.

The information contained herein, including Exhibit 99.1 attached hereto, is intended to be furnished and 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.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits

99.1- Press release of Emisphere Technologies, Inc. dated August 11, 2009

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.

Emisphere Technologies, Inc.

August 11, 2009

By: */s/ Michael R. Garone*

Name: *Michael R. Garone*

Title: *Chief Financial Officer*

Exhibit Index

Exhibit No. Description

99.1 Press release of Emisphere Technologies, Inc., dated August 11, 2009