

AMICUS THERAPEUTICS INC

Form 8-K/A

February 12, 2014

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

WASHINGTON, D.C. 20549

**FORM 8-K/A**

(Amendment No. 2)

**CURRENT REPORT PURSUANT TO  
SECTION 13 OR 15(D) OF THE  
SECURITIES EXCHANGE ACT OF 1934**

Date of Report (Date of earliest event reported): **November 7, 2013**

**AMICUS THERAPEUTICS, INC.**

(Exact Name of Registrant as Specified in Its Charter)

**Delaware**

(State or Other Jurisdiction of  
Incorporation)

**001-33497**

(Commission File Number)

**71-0869350**

(IRS Employer Identification No.)

**1 Cedar Brook Drive, Cranbury, NJ**  
(Address of Principal Executive Offices)

**08512**  
(Zip Code)

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Registrant's telephone number, including area code: **(609) 662-2000**

(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))
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**Explanatory Note**

This Amendment No. 2 on Form 8-K/A is being filed solely to amend the Current Report on Form 8-K filed by Amicus Therapeutics, Inc. ( Amicus ) on November 21, 2013 (the Original 8-K ), as amended by Amendment No. 1 on Form 8-K/A ( Amendment No. 1 ), filed on February 4, 2014, to include, as an exhibit under Item 9.01, the Agreement and Plan of Merger, dated November 19, 2013, by and among Amicus, CB Acquisition Corp., a Delaware corporation and wholly owned subsidiary of Amicus, Callidus Biopharma, Inc., a Delaware corporation, and Cuong Do, as holder representative.

**Item 9.01. Financial Statements and Exhibits.**

a) Exhibits.

2.1\* Agreement and Plan of Merger, dated November 19, 2013, by and among Amicus Therapeutics, Inc., CB Acquisition Corp., Callidus Biopharma, Inc. and Cuong Do.

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\* Schedules and exhibits have been omitted pursuant to Item 601(b)(2) of Regulation S-K. A copy of any omitted schedule or exhibit will be furnished supplementally to the Securities and Exchange Commission upon request; provided, however that Amicus may request confidential treatment pursuant to Rule 24b-2 of the Securities Exchange Act of 1934, as amended, for any schedule or exhibit so furnished.

**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.

Amicus Therapeutics, Inc.

Date: February 12, 2014

By:

/s/ William D. Baird III  
William D. Baird III  
Chief Financial Officer

**EXHIBIT INDEX**

**Exhibit**

**No.**

**Description**

2.1*	Agreement and Plan of Merger, dated November 19, 2013, by and among Amicus Therapeutics, Inc., CB Acquisition Corp., Callidus Biopharma, Inc. and Cuong Do.
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