

ATHEROGENICS INC  
Form 8-K  
July 19, 2007

---

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): **July 19, 2007**

**ATHEROGENICS, INC.**  
(Exact Name of Registrant as Specified in its Charter)

|  |   |  |
|--|---|--|
| <b>Georgia</b><br>(State or other<br>jurisdiction<br>of incorporation) | <b>0-31261</b><br>(Commission<br>File Number) | <b>58-2108232</b><br>(I.R.S. Employer<br>Identification<br>Number) |
|--|---|--|

**8995 Westside Parkway**  
**Alpharetta, GA 30004**  
(Address of principal executive offices)

Registrant's telephone number, including area code **(678) 336-2500**

---

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 (*see* General Instruction A.2. below):

- 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 8.01 Other Events.**

AtheroGenics, Inc. received written notification today from the Securities and Exchange Commission that its staff has completed their investigation into matters related to the Company's 2004 release of interim results from the CART-2 clinical trial and that the staff does not intend to recommend any enforcement action against AtheroGenics to the Commission.

---

**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.

**ATHEROGENICS, INC.**

Date: July 19, 2007

/s/MARK P. COLONNESE

Mark P. Colonnese  
Executive Vice President, Commercial  
Operations  
and Chief Financial Officer

\_\_\_\_\_

