

ATHEROGENICS INC

Form 8-K

November 09, 2007

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UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

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FORM 8-K

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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 9, 2007  
ATHEROGENICS, INC.

(Exact Name of Registrant as Specified in its Charter)

**Georgia**  
(State or other  
jurisdiction  
of incorporation)

**0-31261**  
(Commission  
File Number)

**58-2108232**  
(I.R.S. Employer  
Identification Number)

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

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

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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))
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**Item 8.01 Other Events.**

On November 9, 2007, AtheroGenics, Inc. issued a press release to announce that after discussions with the U.S. Food and Drug Administration, the 300 mg dose of AGI-1067 in the ARISE clinical trial will be discontinued based on a further review of the overall risk/benefit profile observed in the ARISE clinical trial. A copy of the press release is attached to this current report on Form 8-K as Exhibit 99.1.

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

The following exhibit is furnished as part of this current report on Form 8-K.

| <u>Exhibit No.</u> | <u>Description</u>                     |
|--------------------|----------------------------------------|
| 99.1               | – Press Release dated November 9, 2007 |

**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: November 9, 2007     /s/MARK P. COLONNESE  
Mark P. Colonnese  
Executive Vice President, Commercial  
Operations  
and Chief Financial Officer

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**EXHIBIT INDEX**

| <u>Exhibit No.</u> | <u>Description</u> |
|--------------------|--------------------|
|--------------------|--------------------|

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|------|----------------------------------------|
| 99.1 | – Press Release dated November 9, 2007 |
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