

HERCULES INC
Form 8-K
September 20, 2006

**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): **September 19, 2006**

Hercules Incorporated

(Exact name of registrant as specified in its charter)

Delaware

(State or other jurisdiction of
incorporation)

001-00496

(Commission File Number)

51-0023450

(IRS Employer Identification
Number)

Hercules Plaza

1313 North Market Street

Wilmington, Delaware 19894-0001

(Address of principal executive offices) (Zip Code)

(302) 594-5000

(Registrant's telephone number, including area code)

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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Item 8.01

Other Events.

On September 19, 2006, the United States Court of Appeals for the Eighth Circuit denied Hercules Incorporated's (the "Company") Petition for Rehearing and Rehearing En Banc in a lawsuit captioned United States of America v. Vertac Chemical Corp., et al. (Civil No. 4:80CV00109 GH, U.S. District Court, Eastern District of Arkansas, Western Division). In that petition, the Company sought rehearing and rehearing *en banc* of the July 13, 2006 decision by a panel of the Court of Appeals affirming the Final Judgment entered against the Company by the court below. The Company intends to seek review by the United States Supreme Court. Details regarding this litigation are provided in the Company's prior securities filings.

SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

September 19, 2006

By: **HERCULES INCORPORATED**

/s/ Richard G. Dahlen
Richard G. Dahlen
Chief Legal Officer
