

EMERGING VISION INC
Form 8-K
August 25, 2005

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 22, 2005

EMERGING VISION, INC.

(Exact name of registrant as specified in its charter)

New York
*(State or other jurisdiction of
incorporation)*

No.001-14128
(Commission File Number)

No.11-3096941
(IRS Employer Identification No.)

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100 Quentin Roosevelt Boulevard

Garden City, New York 11530

(Address of principal executive offices) (Zip Code)

Registrant's telephone number, including area code: **(516) 390-2100**

Former name or former address, if changed since last report: **N/A**

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 Instructions A.2.):

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

On August 23, 2005, Emerging Vision, Inc. (the "Company") issued a press release announcing that it reached a settlement in its legal proceedings with Luzerne Optical Laboratories (Luzerne) regarding certain laboratory services allegedly provided to the Company. Under the terms of the settlement, the Company paid the aggregate sum of \$115,000 to Luzerne in consideration for their dismissal of the action and the exchange of mutual general releases. This represented less than half of the amount Luzerne was seeking under these proceedings. The press release issued is attached hereto as Exhibit 99.1 and is incorporated herein by reference.

Exhibit No.

99.1 Press Release, dated August 23, 2005, issued by Emerging Vision, Inc.

[Signature on following page]

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.

EMERGING VISION, INC.

By: /s/ Brian P. Alessi

Name: Brian P. Alessi

Title: Chief Financial Officer

Date: August 25, 2005