

FORGENT NETWORKS INC
Form 8-K
June 02, 2009

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: June 01, 2009
(Date of earliest event reported)

Forgent Networks, Inc.
(Exact name of registrant as specified in its charter)

TX
(State or other jurisdiction
of incorporation) 0-20008
(Commission File Number) 74-2415696

(IRS Employer
Identification Number)
108 Wild Basin Rd
(Address of principal executive offices) 78746
(Zip Code)
512-437-2700
(Registrant's telephone number, including area code)

Not Applicable
(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))

o Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Item 8.01. Other Events

Asure Software Cancels Special Stockholders Meeting

Item 9.01. Financial Statements and Exhibits

(a) Financial statements:

None

(b) Pro forma financial information:

None

(c) Shell company transactions:

None

(d) Exhibits

99.1 Press Release of Forgent Networks, Inc. dated June 01, 2009

SIGNATURE

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.

Dated: June 01, 2009

FORGENT NETWORKS, INC.

By: /s/ Jay C. Peterson

Jay C. Peterson

Chief Financial Officer

Exhibit Index **Exhibit No.** **Description** 99.1 Press Release of Forgent Networks, Inc. dated June 01, 2009

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March 16, 2017

Jeffry Flowers

/s/ Charles Kane*

Director

March 16, 2017

Charles Kane

/s/ Todd Krasnow*

Director

March 16, 2017
Todd Krasnow

/s/ Peter Gyenes*

Director

March 16, 2017
Peter Gyenes

/s/ Scott Daniels*

Director

March 16, 2017
Scott Daniels

/s/ David Friend*

Director

March 16, 2017
David Friend

March 16, 2017

*By: /s/ Mohamad Ali

*Mohamad Ali Attorney-in-Fact

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EXHIBIT INDEX

Exhibit No. Description

- 2.1(1) Share Purchase Agreement relating to all shares in MailStore Software GmbH, dated as of December 12, 2014.
- 2.2(29) Asset Purchase Agreement by and among Carbonite, Inc., Carbonite Cloud Backup (Canada) Inc., Carbonite GmbH, Carbonite Operations BV, EVault, Inc. and Seagate Technologies (US) Holdings, Inc., dated as of December 15, 2015.
- 2.3(38) Amendment to Asset Purchase Agreement by and among Carbonite, Inc., Carbonite Cloud Backup (Canada) Inc., Carbonite GmbH, Carbonite Operations BV, EVault, Inc. and Seagate Technologies (US) Holdings, Inc., dated as of December 15, 2015.
- 2.4(39) Stock Purchase Agreement by and Among Carbonite, Inc., Vero Parent, Inc., and Vision Solutions, Inc., dated as of January 31, 2017.
- 2.5(40) Registration Rights Agreement by and between the Carbonite, Inc. and Vero parent, Inc., dated as of January 31, 2017.
- 3.1(41) Amended and Restated Certificate of Incorporation of Carbonite, Inc.
- 3.2(2) Amended and Restated By-Laws of Carbonite, Inc.
- 3.3(42) Certificate of Elimination of Series A Junior Participating Preferred Stock, dated as of January 11, 2016.
- 4.1(4) Form of Common Stock Certificate.
- 10.1(2)# Amended and Restated 2005 Stock Incentive Plan and Form of Incentive Stock Option Agreement, Non-statutory Stock Option Agreement, and Stock Restriction Agreement under the Amended and Restated 2005 Stock Incentive Plan.
- 10.2(3)# 2011 Equity Award Plan and Form of Incentive Stock Option Agreement, Non-statutory Stock Option Agreement, and Stock Restriction Agreement under the 2011 Equity Award Plan.
- 10.3(4)# Form of Indemnification Agreement by and between Carbonite, Inc. and each of its directors and executive officers.
- 10.4(31) Amended and Restated Office Lease by Trustees of Church Realty Trust to Carbonite, Inc., dated as of October 17, 2011.
- 10.5(5) Commercial Lease with Lewiston Properties, LLC, dated as of May 13, 2011.
- 10.6(6) Turn Key Datacenter Lease with GIP Wakefield, LLC, dated as of June 3, 2011.
- 10.7(7) Turn Key Datacenter Lease with Digital Phoenix Van Buren, LLC, dated as of November 29, 2011.
- 10.8(8) First Amendment to the Datacenter Lease with GIP Wakefield, LLC, dated as of September 15, 2011.
- 10.9(9) Second Amendment to the Datacenter Lease with GIP Wakefield, LLC, dated as of March 31, 2012.
- 10.10(10) Third Amendment to the Datacenter Lease with GIP Wakefield LLC, dated as of June 11, 2012.
- 10.11(11)# Offer Letter with Anthony Folger, dated as of November 21, 2012.
- 10.12(12)† Fourth Amendment to the Datacenter Lease with GIP Wakefield, LLC, dated as of February 14, 2013.
- 10.13(13)* Turnkey Datacenter Lease with Digital 2121 South Price, LLC, dated as of December 31, 2013.
- 10.14(14)† Fifth Amendment to the Datacenter Lease with GIP Wakefield, LLC, dated as of February 6, 2014.
- 10.15(15)# Form of Restricted Stock Unit Agreement under the 2011 Equity Award Plan.
- 10.16(16) Indenture of Lease by and between Abbey Lafayette Operating LLC and Carbonite, Inc. dated as of May 5, 2014.
- 10.17(17)# Form of Stock Restriction Agreement under the 2011 Equity Award Plan.
- 10.18(18)# Amended and Restated Offer Letter with Danielle Sheer, dated as of August 1, 2014.
- 10.19(19)# Promotion Letter Agreement with Cassandra Hudson, dated as of October 28, 2014.
- 10.20(20)† Sixth Amendment to the Datacenter Lease with GIP Wakefield, LLC, dated as of September 30, 2014.
- 10.21(21)# Executive Employment Agreement with Mohamad Ali, dated as of December 3, 2014, as amended January 8, 2015.
- 10.22(22) Credit Agreement by and among Carbonite, Inc., the lenders party thereto and Silicon Valley Bank, dated as of May 6, 2015.
- 10.23(23)

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First Amendment to Credit Agreement by and among Carbonite, Inc., the lenders party thereto and Silicon Valley Bank, dated as of May 22, 2015.

10.24(24) Seventh Amendment to the Datacenter Lease with GIP Wakefield, LLC, dated as of September 30, 2015.

10.25(25) Second Amendment to Credit Agreement by and among Carbonite, Inc., the lenders party thereto and Silicon Valley Bank, dated as of October 30, 2015.

10.26(26)# Offer Letter with Christopher Doggett, dated as of November 27, 2015.

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Exhibit No. Description

10.27(27)# Offer Letter with Paul Mellinger, dated as of December 15, 2015.
 10.28(28)# Offer Letter with Norman Guadagno, dated as of January 6, 2016.
 10.29(30)# Executive Severance Plan, dated as of February 2, 2016.
 10.30(32) Performance-Based Restricted Stock Unit Award Agreement under the 2011 Equity Award Plan.
 10.31(33) First Amendment to Turnkey Datacenter Lease with Digital Phoenix Van Buren, LLC, dated as of February 3, 2016.
 10.32(34) Third Amendment to Credit Agreement by and among Carbonite, Inc. the lenders party thereto and Silicon Valley Bank, dated as of July 25, 2016.
 10.33(35)* Eighth Amendment to Turn Key Datacenter Lease with GIP Wakefield, LLC, dated as of September 30, 2016.
 10.34(36)* Deed of Turn Key Datacenter Lease with Digital Loudoun Parkway Center North, LLC, dated as of September 30, 2016.
 10.35(37) Fourth Amendment to Credit Agreement by and Among Carbonite, Inc. the lenders party thereto and Silicon Valley Bank, dated as of January 30, 2017.
 21.1 List of subsidiaries.
 23.1 Consent of Ernst & Young LLP, independent registered public accounting firm.
 24.1 Power of Attorney.
 31.1 Certification of Chief Executive Officer Pursuant to Section 302 of the Sarbanes-Oxley Act of 2002.
 31.2 Certification of Chief Financial Officer Pursuant to Section 302 of the Sarbanes-Oxley Act of 2002.
 32.1 Certifications of Chief Executive Officer Pursuant to Section 906 of the Sarbanes-Oxley Act of 2002.
 32.2 Certifications of Chief Financial Officer Pursuant to Section 906 of the Sarbanes-Oxley Act of 2002.
 101.INS XBRL Instance Document.
 101.SCH XBRL Taxonomy Extension Schema Document.
 101.CAL XBRL Taxonomy Extension Calculation Linkbase Document.
 101.DEF XBRL Taxonomy Extension Definition Linkbase Document.
 101.LAB XBRL Taxonomy Extension Label Linkbase Document.
 101.PRE XBRL Taxonomy Extension Presentation Linkbase Document.

- (1) Filed as the same numbered exhibit to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on December 15, 2014, and incorporated herein by reference.
- (2) Filed as the same numbered exhibit to Amendment No. 2 to Registrant's Registration Statement on Form S-1 filed with the Securities and Exchange Commission on July 13, 2011, and incorporated herein by reference.
- (3) Filed as the same numbered exhibit to Amendment No. 3 to Registrant's Registration Statement on Form S-1 filed with the Securities and Exchange Commission on July 25, 2011, and incorporated herein by reference.
- (4) Filed as the same numbered exhibit to Registrant's Registration Statement on Form S-1 filed with the Securities and Exchange Commission on May 12, 2011, and incorporated herein by reference.
- (5) Filed as Exhibit 10.13 to Amendment No. 1 to Registrant's Registration Statement on Form S-1 filed with the Securities and Exchange Commission on June 15, 2011, and incorporated herein by reference.
- (6) Filed as Exhibit 10.14 to Amendment No. 1 to Registrant's Registration Statement on Form S-1 filed with the Securities and Exchange Commission on June 15, 2011, and incorporated herein by reference.
- (7) Filed as Exhibit 10.17 to Registrant's Annual Report on Form 10-K filed with the Securities and Exchange Commission on March 7, 2012, and incorporated herein by reference.
- (8) Filed as Exhibit 10.1 to Registrant's Quarterly Report on Form 10-Q filed with the Securities and Exchange Commission on May 3, 2012, and incorporated herein by reference.
- (9) Filed as Exhibit 10.2 to Registrant's Quarterly Report on Form 10-Q filed with the Securities and Exchange Commission on May 3, 2012, and incorporated herein by reference.
- (10)

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Filed as Exhibit 10.24 to Registrant's Annual Report on Form 10-K filed with the Securities and Exchange Commission on March 6, 2013, and incorporated herein by reference.

(11) Filed as Exhibit 10.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on January 2, 2013, and incorporated herein by reference.

(12) Filed as Exhibit 10.19 to Registrant's Annual Report on Form 10-K with the Securities and Exchange Commission on March 5, 2014, and incorporated herein by reference.

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- (13) Filed as Exhibit 10.24 to Registrant's Annual Report on Form 10-K with the Securities and Exchange Commission on March 5, 2014, and incorporated herein by reference.
- (14) Filed as Exhibit 10.25 to Registrant's Annual Report on Form 10-K with the Securities and Exchange Commission on March 5, 2014, and incorporated herein by reference.
- (15) Filed as Exhibit 10.27 to Registrant's Annual Report on Form 10-K with the Securities and Exchange Commission on March 5, 2014, and incorporated herein by reference.
- (16) Filed as Exhibit 10.1 to Registrant's Quarterly Report on Form 10-Q with the Securities and Exchange Commission on May 6, 2014, and incorporated herein by reference.
- (17) Filed as Exhibit 10.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on June 4, 2014, and incorporated herein by reference.
- (18) Filed as Exhibit 10.1 to Registrant's Quarterly Report on Form 10-Q with the Securities and Exchange Commission on August 5, 2014, and incorporated herein by reference.
- (19) Filed as Exhibit 10.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on November 3, 2014, and incorporated herein by reference.
- (20) Filed as Exhibit 10.1 to Registrant's Quarterly Report on Form 10-Q filed with the Securities and Exchange Commission on November 6, 2014, and incorporated herein by reference.
- (21) Filed as Exhibit 10.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on December 4, 2014 (Executive Employment Agreement) and Exhibit 99.2 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on January 9, 2015 (Amendment to Executive Employment Agreement), and each incorporated herein by reference.
- (22) Filed as Exhibit 10.5 to Registrant's Quarterly Report on Form 10-Q filed with the Securities and Exchange Commission on May 6, 2015, and incorporated herein by reference.
- (23) Filed as Exhibit 10.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on May 27, 2015, and incorporated herein by reference.
- (24) Filed as Exhibit 10.1 to Registrant's Quarterly Report on Form 10-Q filed with the Securities and Exchange Commission on November 9, 2015, and incorporated herein by reference.
- (25) Filed as Exhibit 10.2 to Registrant's Quarterly Report on Form 10-Q filed with the Securities and Exchange Commission on November 9, 2015, and incorporated herein by reference.
- (26) Filed as Exhibit 10.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on December 1, 2015, and incorporated herein by reference.
- (27) Filed as Exhibit 10.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on December 16, 2015, and incorporated herein by reference.
- (28) Filed as Exhibit 10.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on January 6, 2016, and incorporated herein by reference.
- (29) Filed as Exhibit 2.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on January 13, 2016, and incorporated herein by reference.
- (30) Filed as Exhibit 10.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on February 4, 2016, and incorporated herein by reference.
- (31) Filed as Exhibit 10.5 to Registrant's Annual Report on Form 10-K filed with the Securities and Exchange Commission on March 10, 2015, and incorporated herein by reference.
- (32) Filed as Exhibit 10.35 to Registrant's Annual Report on Form 10-K filed with the Securities and Exchange Commission on March 8, 2016, and incorporated herein by reference.
- (33) Filed as Exhibit 10.36 to Registrant's Annual Report on Form 10-K filed with the Securities and Exchange Commission on March 8, 2016, and incorporated herein by reference.
- (34) Filed as Exhibit 10.1 to Registrant's Quarterly Report on Form 10-Q filed with the Securities and Exchange Commission on August 9, 2016, and incorporated herein by reference.
- (35) Filed as Exhibit 10.1 to Registrant's Quarterly Report on Form 10-Q filed with the Securities and Exchange Commission on November 9, 2016, and incorporated herein by reference.
- (36)

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Filed as Exhibit 10.2 to Registrant's Quarterly Report on Form 10-Q filed with the Securities and Exchange Commission on November 9, 2016, and incorporated herein by reference.

(37) Filed as Exhibit 10.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on January 31, 2017, and incorporated herein by reference.

(38) Filed as Exhibit 2.2 to Registrant's Current Report on Form 8-K/A filed with the Securities and Exchange Commission on April 4, 2016, and incorporated here by reference.

(39) Filed as Exhibit 2.1 to Registrant's Current Report on Form 8-K filed with the Securities and Exchange Commission on January 31, 2017, and incorporated herein by reference.

(40) Filed as Exhibit 2.2 to Registrant's Current Report on Form 8-K Filed with the Securities and Exchange Commission on January 31, 2017, and incorporated herein by reference.

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(41) Filed as the same numbered exhibit to Registrant's Quarterly Report on Form 10-Q filed with the Securities and Exchange Commission on November 10, 2011, and incorporated herein by reference.

(42) Filed as Exhibit 3.1 to Registrant's Current Report on Form 8-K/A filed with the Securities and Exchange Commission on January 13, 2016, and incorporated by reference.

Indicates a management contract or compensatory plan.

† Portions of this exhibit have been omitted pending a determination by the Securities and Exchange Commission as to whether these portions should be granted confidential treatment.

* Portions of this exhibit have been omitted pursuant to the Commission's grant of confidential treatment.