

NEWTEK BUSINESS SERVICES INC  
Form 8-K  
May 17, 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

May 17, 2007 (May 14, 2007)

Date of Report (date of Earliest Event Reported)

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**NEWTEK BUSINESS SERVICES, INC.**

(Exact Name of Company as Specified in its Charter)

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**NEW YORK**  
(State or Other Jurisdiction of

**001-16123**  
(Commission File No.)

**11-3504638**  
(I.R.S. Employer

Incorporation or Organization)

**1440 Broadway, 17<sup>th</sup> floor, New York, NY 10018**

Identification No.)

(Address of principal executive offices and zip code)

**(212) 356-9500**

(Company's telephone number, including area code)

(Former name or former address, if changed from last report)

## Edgar Filing: NEWTEK BUSINESS SERVICES INC - Form 8-K

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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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### **Forward-Looking Statements**

Statements in this Current Report on Form 8-K (including the exhibits), including statements regarding Newtek's beliefs, expectations, intentions or strategies for the future, may be forward-looking statements under the Private Securities Litigation Reform Act of 1995. All forward-looking statements involve a number of risks and uncertainties that could cause actual results to differ materially from the plans, intentions and expectations reflected in or suggested by the forward-looking statements. Such risks and uncertainties include, among others, intensified competition, operating problems and their impact on revenues and profit margins, anticipated future business strategies and financial performance, anticipated future number of customers, business prospects, legislative developments and similar matters. Risk factors, cautionary statements and other conditions which could cause Newtek's actual results to differ from management's current expectations are contained in Newtek's filings with the Securities and Exchange Commission. Newtek undertakes no obligation to update any forward-looking statement to reflect events or circumstances that may arise after the date of this filing.

### **ITEM 5.02 Departure of directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.**

On May 14, 2007, Newtek Business Services issued a press release entitled "Newtek Business Services Transitions to New CFO." A copy of the press release is filed as Exhibit 99.1 to this Form 8-K.

Michael Holden will step down from the position of Chief Financial Officer on August 31, 2007. Seth A. Cohen will assume the position of Chief Financial Officer on September 1, 2007.

Seth A. Cohen has served as Senior Vice President Finance since March 30, 2007. Mr. Cohen has previously served as Executive Vice President of Capital Markets since January, 2005 and Vice President for Capital Markets since June, 2000. Mr. Cohen has twenty years experience in corporate and municipal finance. Prior to Newtek, from September, 1998 to May, 2000, Mr. Cohen was Director of the Mayor's Office of Pensions and Public Finance for the City of New York.

### **ITEM 9.01. Financial Statements and Exhibits**

(c) Exhibits

99.1 Press Release dated May 14, 2007 issued by Newtek Business Services, Inc. entitled "Newtek Business Services Transitions to New CFO."

**SIGNATURES**

In accordance with the requirements of the Securities Exchange Act of 1934, the registrant has caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

Date: May 17, 2007

**NEWTEK BUSINESS SERVICES, INC.**

/s/ Barry Sloane  
Barry Sloane  
Chairman of the Board, Chief Executive Officer,  
Secretary

**EXHIBIT INDEX**

**EXHIBIT**

| <b>NUMBER</b> | <b>DESCRIPTION</b>                                                                                                                  |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 99.1          | Press Release dated May 14 ,2007 issued by Newtek Business Services, Inc. entitled Newtek Business Services Transitions to New CFO. |