MULTIBAND CORP Form 10-Q November 14, 2008

# UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

FORM 10-Q

(Mark One)

QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES AND EXCHANGE ACT OF 1934 FOR THE PERIOD ENDING SEPTEMBER 30, 2008

OR

TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES AND EXCHANGE ACT OF 1934 FOR THE TRANSITION PERIOD FROM \_\_\_\_\_\_ TO \_\_\_\_\_ COMMISSION FILE NUMBER 0 – 1325

#### MULTIBAND CORPORATION

(Exact name of registrant as specified in its charter)

#### **MINNESOTA**

(State or other jurisdiction of incorporation or organization)

41 - 1255001

(IRS Employer Identification No.)

9449 Science Center Drive, New Hope, Minnesota 55428

(Address of principal executive offices)

Telephone (763) 504-3000 Fax (763) 504-3060

**Internet:** www.multibandusa.com

(Registrant's telephone number, facsimile number, and Internet address)

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities and Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days.

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#### Yes x No o

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer or a smaller reporting company. See the definitions of "large accelerated filer," "accelerated filer" and "smaller reporting company" in Rule 12b-2 of the Exchange Act. (Check one):

Large accelerated filer o Accelerated filer o Non-accelerated filer x (do not check if a smaller reporting company) Smaller reporting company o

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act).

#### Yes o No x

On November 10, 2008 there were 9,632,305 shares outstanding of the registrant's common stock, no par value, and 297,375 outstanding shares of the registrant's convertible preferred stock.

## PART I. FINANCIAL INFORMATION

### ITEM 1. CONSOLIDATED FINANCIAL STATEMENTS

# MULTIBAND CORPORATION AND SUBSIDIARIES CONDENSED CONSOLIDATED STATEMENTS OF OPERATIONS

	Three Months Ended					Nine Months Ended			
	September 30,		September 30,		S	September 30,		September 30,	
	2008			2007		2008		2007	
	(unaudited)		(unaudited)		(	(unaudited)	(unaudited)		
REVENUES	\$	12,340,659	\$	3,653,600	\$	28,860,595	\$	11,960,281	
COSTS AND EXPENSES									
Cost of products and services									
(exclusive of depreciation and									
amortization shown separately below)		8,556,168		2,345,895		18,769,937		6,395,179	
Selling, general and administrative		2,757,319		2,360,254		7,173,357		7,057,936	
Depreciation and amortization		846,317		770,215		2,463,079		2,814,981	
Impairment of assets		-		-		65,452		-	
Total agets and avnances		12,159,804		5,476,364		28,471,825		16,268,096	
Total costs and expenses		12,139,604		3,470,304		20,471,623		10,208,090	
INCOME (LOSS) FROM									
OPERATIONS		180,855		(1,822,764)		388,770		(4,307,815)	
OTHER INCOME (EXPENSE)									
Interest expense		(300,826)		(108,847)		(514,485)		(430,264)	
Management consulting income		1,446,938		(100,017)		1,446,938		(130,201)	
Other income		8,109		13,267		80,699		177,361	
Total other income (expense)		1,154,221		(95,580)		1,013,152		(252,903)	
INCOME (LOCS) DEFODE									
INCOME (LOSS) BEFORE INCOME TAXES AND									
MINORITY INTEREST IN									
SUBSIDIARY		1,335,076		(1,918,344)		1,401,922		(4,560,718)	
SUBSIDIANT		1,333,070		(1,710,344)		1,401,722		(4,500,710)	
PROVISION FOR INCOME									
TAXES		286,658		-		749,458		-	
MINORITY INTEREST IN NET									
INCOME OF SUBSIDIARY		137,755		-		549,758		-	
NET INCOME (LOSS)		910,663		(1,918,344)		102,706		(4,560,718)	
Preferred stock dividends		64,014		1,793,297		4,048,696		2,153,698	
Treferred stock dividends		04,014		1,793,497		4,040,070		2,133,090	
INCOME (LOSS)									
ATTRIBUTABLE TO COMMON									
STOCKHOLDERS	\$	846,649	\$	(3,711,641)	\$	(3,945,990)	\$	(6,714,416)	

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INCOME (LOSS)				
ATTRIBUTABLE TO COMMON				
STOCKHOLDERS PER				
<b>COMMON SHARE - BASIC</b>	\$ .09	\$ (.50) \$	(.43)	\$ (.94)
INCOME (LOSS)				
ATTRIBUTABLE TO COMMON				
STOCKHOLDERS PER				
COMMON SHARE - DILUTED	\$ .09	\$ (.50) \$	(.43)	\$ (.94)
Weighted average shares outstanding –				
basic	9,561,718	7,356,413	9,184,475	7,177,435
Weighted average shares outstanding -				
diluted	9,796,685	7,356,413	9,184,475	7,177,435

See notes to condensed consolidated financial statements

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# MULTIBAND CORPORATION AND SUBSIDIARIES CONDENSED CONSOLIDATED STATEMENTS OF COMPREHENSIVE INCOME (LOSS)

		Three Mo	nded	Nine Months Ended					
	September 30, 2008 (unaudited)		September 30, 2007 (unaudited)			September 30, 2008 (unaudited)		September 30, 2007 (unaudited)	
NET INCOME (LOSS)	\$	910,663	\$	(1,918,344)	\$	102,706	\$	(4,560,718)	