Edgar Filing: WHITEMAN STEVEN D - Form 4

	N STEVEN D										
Form 4 February 18,	2010										
	_								OMB AF	PROVAL	
FORM	UNITED	STATES S		ITIES A hington,			NGE C	OMMISSION	OMB Number:	3235-0287	
Check this box if no longer subject to Section 16. SECURITIES SECURITIES							burden hour response	Estimated average burden hours per			
(Print or Type I	Responses)										
1. Name and Address of Reporting Person <u>*</u> WHITEMAN STEVEN D			2. Issuer Name and Ticker or Trading Symbol ACTUATE CORP [ACTU]					5. Relationship of Reporting Person(s) to Issuer			
(Last)	(First) (N			Earliest Tr	L	-		(Checl	k all applicable)	
			(Month/Day/Year) 02/16/2010					_X_Director10% Owner Officer (give titleOther (specify below) below)			
				nendment, Date Original Ionth/Day/Year)				6. Individual or Joint/Group Filing(Check Applicable Line) _X_ Form filed by One Reporting Person			
SAN MATE	EO, CA 94404							Form filed by M Person			
(City)	(State)	(Zip)	Table	e I - Non-D	erivative S	Securi	ties Acqu	iired, Disposed of	, or Beneficial	ly Owned	
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution I any (Month/Day	Date, if	3. 4. Securities Acquired Transaction(A) or Disposed of (D) Code (Instr. 3, 4 and 5) (Instr. 8) (A) or		of (D)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)		
Common Stock	02/16/2010			Code V M	Amount 15,000	(D) A	Price \$ 3.75	25,212	D		
Common Stock	02/16/2010			М	1,994	А	\$ 1.49	27,206	D		
Common Stock	02/16/2010			S	16,994	D	\$ 5.372 (1)	10,212	D		

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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information contained in this form are not
required to respond unless the formSEC 1474
(9-02)

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displays a currently valid OMB control number.

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transacti Code (Instr. 8)	orDeriv Secu Acqu or Di (D)	rities hired (A) isposed of r. 3, 4,	6. Date Exerci Expiration Dat (Month/Day/Y	te	7. Title and J Underlying S (Instr. 3 and	Securities
				Code V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Option (right to buy)	\$ 3.75	02/16/2010		М		15,000	10/29/2002	10/29/2011	Common Stock	15,000
Option (right to buy)	\$ 1.49	02/16/2010		М		1,994	03/03/2007	03/03/2013	Common Stock	1,994

Reporting Owners

Reporting Owner Name / Address	Relationships					
FB	Director	10% Owner	Officer	Other		
WHITEMAN STEVEN D 2207 BRIDGEPOINTE PARKWAY, SUITE 500 SAN MATEO, CA 94404	Х					
Signatures						
/s/ Steven D						

Whiteman	02/18/2010			
<u>**</u> Signature of Reporting Person	Date			

Explanation of Responses:

* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

(1) Represents a weighted average between the range of \$5.36 and \$5.42.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.