

Edgar Filing: PETMED EXPRESS INC - Form 8-K

PETMED EXPRESS INC  
Form 8-K  
August 24, 2004

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 23, 2004

PETMED EXPRESS, INC.

-----  
(Exact name of registrant as specified in its charter)

Commission file number 000-28827  
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FLORIDA

65-0680967

-----  
(State or other jurisdiction  
of incorporation or organization)

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

1441 S.W. 29th Avenue, Pompano Beach, Florida

33069

-----  
(Address of principal executive offices)

-----  
(Zip Code)

Registrant's telephone number, including area code: (954) 979-5995  
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Not Applicable

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

Check the appropriate box below if the Form 8-K 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

[ ] Soliciting material pursuant to Rule 14a-12 under the Exchange Act

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- [ ] Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act
- [ ] Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act

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### Item 7.01 Regulation FD Disclosure.

On August 23, 2004, PetMed Express, Inc. issued a press release reporting the company's reaction to a class action lawsuit filed on August 17, 2004. A copy of this news release is attached hereto as Exhibit 99.1 and is incorporated herein by reference.

The information furnished in this Item 9, intended to be furnished under Item 12, is instead furnished under Item 9 in accordance with SEC Release 33-8216. This information shall not be deemed "filed" for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the "Exchange Act") nor shall such information be incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such filing.

### Item 9.01 Financial Statements and Exhibits

#### (c) Exhibits

| Exhibit No. | Description   |
|-------------|---|
| 99.1        | Press Release issued by PetMed Express, Inc. on August 23, 2004 |

#### SIGNATURES

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.

PETMED EXPRESS, INC.  
(The "Registrant")

Date: August 24, 2004

By: /s/ Menderes Akdag

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Menderes Akdag

Chief Executive Officer

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(principal executive officer)

By: /s/ Bruce S. Rosenbloom

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Bruce S. Rosenbloom

Chief Financial Officer  
(principal financial and accounting officer)

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EXHIBIT INDEX

| Exhibit No. | Description   |
|-------------|---|
| 99.1        | Press Release issued by PetMed Express on August 23, 2004 |

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