

EXTREME NETWORKS INC

Form 8-K

May 04, 2011

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):

April 30, 2011

EXTREME NETWORKS, INC.

(Exact name of registrant as specified in its charter)

Delaware

(State or other jurisdiction of
incorporation)

000-25711

(Commission File No.)

77-0430270

(I.R.S. Employer Identification No.)

3585 Monroe Street
Santa Clara, California 95051

(Address of principal executive offices)

Registrant's telephone number, including area code:

(408) 579-2800

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))

Item 8.01. Other Events.

On April 30, 2011, in response to requests Starboard Value and Opportunity Fund, Ltd (formerly known as the Ramius Value and Master Fund, Ltd), the Board of Directors of Extreme Networks, Inc. (the “Company”) granted an exemption to Starboard under the Rights Agreement dated as of April 27, 2001 between the Company and Mellon Investor Services LLC, as amended through the date hereof (the “Rights Agreement”), to acquire beneficial ownership of additional shares, provided that in each case (i) the acquisition results in beneficial ownership by the stockholder and its affiliates and associates of no more than 9.9% of the outstanding Common Stock, including existing holdings, and (ii) any such purchases must be made on or prior to April 30, 2012, the date on which the Rights Agreement terminates in accordance with its terms.

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.

Date: May 4, 2011

EXTREME NETWORKS, INC.

By: /s/ Oscar Rodriguez
 Oscar Rodriguez
 President and Chief Executive Officer