Edgar Filing: NETWORK APPLIANCE INC - Form 4

NETWORK Form 4 October 06, FORN	ЛЛ	S SECURITIES A Washington			OMMISSION	OMB	PPROVAL 3235-0287			
Check th if no lon subject to Section 2 Form 4 of Form 5 obligation may con <i>See</i> Instr 1(b).	ger o 16. or Filed pursuant to ons tinue. Section 17(a) of the 20(b)	STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIESExpires: Estimated a burden hour responseFiled pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or SectionExpires: Estimated a burden hour response								
(Print or Type	Responses)									
1. Name and A WARMEN	2. Issuer Name and Symbol NETWORK APP [NTAP]		-	5. Relationship of Reporting Person(s) to Issuer (Check all applicable)						
(Last) 495 EAST	3. Date of Earliest Tr (Month/Day/Year) 10/04/2006	ansaction		Director 10% Owner Officer (give title Other (specify below) below) Chief Executive Officer						
SUNNYVA	4. If Amendment, Da Filed(Month/Day/Year)	-		6. Individual or Joint/Group Filing(Check Applicable Line) _X_ Form filed by One Reporting Person Form filed by More than One Reporting Person						
(City)	(State) (Zip)	Table I - Non-D	erivative Sec	curities Acqu	uired, Disposed of	, or Beneficial	ly Owned			
1.Title of Security (Instr. 3)	any	on Date, if Transactio Code /Day/Year) (Instr. 8)	(osed of (D) and 5) A) or	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	10/04/2006	Code V M <u>(1)</u>	Amount (1 7,353 A	D) Price \$ 4.508	3,655,983	Ι	by Trust (2)			
Common Stock	10/04/2006	S <u>(1)</u>	7,353 D	\$ 38.2	3,648,630	I	by Trust (2)			
Common Stock					44,839	D				
Common Stock					970,000	Ι	by Lmtd Ptnrshp2			
Common Stock					170	Ι	by Spouse $\frac{(4)}{2}$			

					83,50	I 00			
n a separate li	ne for each class of se	curities beneficially	owned direc	ctly or in	ndirectly	у.			
		info req dis	ormation o juired to re plays a cu	contain espond	ned in t d unles	this form are the form	e not (9		
Та			-			ly Owned			
2. Conversion or Exercise Price of Derivative Security		3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transactic Code (Instr. 8)	5. Number prof Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)		6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount Underlying Securitie (Instr. 3 and 4)	
			Code V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amou or Numb of Shares
\$ 4.508	10/04/2006		M <u>(1)</u>	,	7,353	<u>(6)</u>	04/30/2008	Common Stock	7,35
	2. Conversion or Exercise Price of Derivative Security	Table II - Derivative So (e.g., puts, ca 2. 3. Transaction Date Conversion (Month/Day/Year) or Exercise Price of Derivative Security	Per info req dis nur Table II - Derivative Securities Acquired, I (<i>e.g.</i> , puts, calls, warrants, option 2. 3. Transaction Date 3A. Deemed Conversion (Month/Day/Year) Execution Date, if or Exercise any Price of (Month/Day/Year) Derivative Security	Persons who information of required to re displays a cu- number. Table II - Derivative Securities Acquired, Disposed of (e.g., puts, calls, warrants, options, converted 2. 3. Transaction Date 3A. Deemed 4. Conversion (Month/Day/Year) Execution Date, if Transaction or Exercise any Code Price of (Month/Day/Year) (Instr. 8) Derivative Security	Persons who responsion information contain required to response displays a currently number. Table II - Derivative Securities Acquired, Disposed of, or Be (<i>e.g.</i> , puts, calls, warrants, options, convertible secu- (<i>e.g.</i> , puts, calls, warrants, options, convertible secu- conversion (Month/Day/Year) Execution Date, if or Exercise any Transaction Date (Month/Day/Year) (Instr. 8) Acqui Derivative Security (A) or Dispo (D) (Instr. and 5) Code V (A)	 a separate line for each class of securities beneficially owned directly or indirectly required to respond to the information contained in the required to respond unless displays a currently valid number. Table II - Derivative Securities Acquired, Disposed of, or Beneficiall (e.g., puts, calls, warrants, options, convertible securities) 3. Transaction Date 3A. Deemed (e.g., puts, calls, warrants, options, convertible securities) 3. Transaction Date 3A. Deemed (a.g., puts, calls, warrants, options, convertible securities) Conversion (Month/Day/Year) Execution Date, if any Price of (Month/Day/Year) (Month/Day/Year) (Instr. 8) Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5) Code V (A) (D) 	 a separate line for each class of securities beneficially owned directly or indirectly. Persons who respond to the collection information contained in this form are required to respond unless the form 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) 3. Transaction Date 3A. Deemed (e.g., puts, calls, warrants, options, convertible securities) 3. Transaction Date 3A. Deemed (Month/Day/Year) Execution Date, if any (Month/Day/Year) Execution Date, if Code Securities (Month/Day/Year) (Instr. 8) Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5) Date Exercisable Code V (A) (D) 	 a separate line for each class of securities beneficially owned directly or indirectly. Persons who respond to the collection of information contained in this form are not required to respond unless the form 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) Transaction Date 3A. Deemed (e.g., puts, calls, warrants, options, convertible securities) Transaction Date 3A. Deemed (Month/Day/Year) Execution Date, if or Exercise any (Month/Day/Year) (Instr. 8) Acquired (Month/Day/Year) Month/Day/Year) (Instr. 8) Acquired (Month/Day/Year) Gote Securities (Month/Day/Year) (Instr. 3, 4, and 5) Date Expiration Exercisable Date Code V (A) (D) 	2. 3. Transaction Date or Exercise Price of Berivative Security 3. Transaction Date (Month/Day/Year) 3A. Deemed any (Month/Day/Year) 4. (Month/Day/Year) 5. Number Transaction Derivative Code (Code V (A) (D) 6. Date Exercisable and (Month/Day/Year) 7. Title and (Month/Day/Year) 2. 3. Transaction Date (Month/Day/Year) 3A. Deemed (Month/Day/Year) 4. (Month/Day/Year) 5. Number (Instr. 3) (Month/Day/Year) 6. Date Exercisable and (Month/Day/Year) 7. Title and (Month/Day/Year) 2. Conversion (Month/Day/Year) 3A. Deemed (Month/Day/Year) 4. (Month/Day/Year) 5. Number (Instr. 3) 6. Date Exercisable and (Month/Day/Year) 7. Title and (Month/Day/Year) 2. Code (Month/Day/Year) 3A. Deemed (Month/Day/Year) 4. (Instr. 3) 5. Date (Month/Day/Year) 6. Date Exercisable and (Month/Day/Year) 7. Title and (Instr. 3)

Reporting Owners

Reporting Owner Name / Address	Relationships						
	Director	10% Owner	Officer	Other			
WARMENHOVEN DANIEL J 495 EAST JAVA DRIVE SUNNYVALE, CA 94089			Chief Executive Office	er			
Signatures							
By: Janice Mahoney by Power of	of Attorne	y For: Danie	el J.	10/06/2006			

10/06/2006 Warmenhoven **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). **

The option exercise(s) and sale(s) reported in this Form 4 were effected pursuant to a Rule 10b5-1 trading plan adopted by the reporting (1) person on August 26, 2006.

(2)

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Shares held in trust by Daniel J. Warmenhoven & Charmaine A. Warmenhoven, trustees to The Warmenhoven 1987 Revocable Trust UTA dated 12/16/87, as amended.

Shares held by Warmenhoven Ventures LP, a limited partnership of which the Warmenhoven Management Trust is the general partner, of(3) which the reporting person and his wife are the trustees. Reporting person disclaims beneficial ownership of such shares except to the extent of his pecuniary interest therein.

- (4) Shares held by Charmaine A. Warmenhoven, Mr. Warmenhoven's spouse, as separate property. Reporting person disclaims beneficial ownership of such shares.
- (5) Shares held in trust by Richard A. Andre, trustee to The Daniel J. Warmenhoven 1991 Children's Trust. Reporting person disclaims beneficial ownership of such shares.
- (6) Option vests in equal monthly installments over the 36 months of services beginning with the second yearly anniversay of the grant date.

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.