

Edgar Filing: ORTHOFIX INTERNATIONAL N V - Form 8-K

ORTHOFIX INTERNATIONAL N V  
Form 8-K  
October 28, 2003

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): October 28, 2003

Orthofix International N.V.  
(Exact name of Registrant as specified in its charter)

Netherlands Antilles  
(State or other jurisdiction  
of incorporation)

0-19961  
Commission File Number

(I.R.S.

---

7 Abraham de Veerstraat  
Curacao  
Netherlands Antilles  
011-59-99-465-8525  
(Address of principal executive offices and telephone number,  
including area code)

---

Item 9. Regulation FD Disclosure.

Item 12. Results of Operations and Financial Condition.

The following information is furnished pursuant to Item 9, "Regulation FD Disclosure" and Item 12, "Results of Operations and Financial Condition." On October 28, 2003, Orthofix International N.V. ("Orthofix") issued a press release announcing, among other things, its results of operations for the quarter ended September 30, 2003. A copy of the press release is attached hereto as Exhibit 99.1 and is incorporated by reference herein.

In addition, Orthofix announced in its press release dated October 28, 2003 that, excluding \$0.9 million in litigation costs related to the KCI patent

Edgar Filing: ORTHOFIX INTERNATIONAL N V - Form 8-K

infringement case and \$1.1 million in after-tax settlement costs associated with the Office of Inspector General investigation, net income for the third quarter ended September 30, 2003 would have been \$7.4 million, or \$0.50 per share. For the nine months ended September 30, 2003, net income, excluding these litigation and settlement costs of \$2.9 million and \$1.1 million, net of tax, respectively, would have been \$21.9 million, or \$1.49 per share. Orthofix believes that this net income measure, excluding these litigation and settlement costs, is a useful proxy for results from operations because Orthofix did not incur any related litigation and settlement costs in the third quarter of 2002 or for the nine months ended September 30, 2002.

Exhibit

99.1 Press release of Orthofix International N.V. dated October 28, 2003

Signature

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: October 28, 2003

ORTHOFIX INTERNATIONAL N.V.

By: /S/ THOMAS HEIN

-----  
Name: Thomas Hein

Title: Chief Financial Officer