

Edgar Filing: NOVASTAR FINANCIAL INC - Form 8-K

NOVASTAR FINANCIAL INC  
Form 8-K  
September 17, 2007

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

September 11, 2007  
Date of Report (Date of earliest event reported)

NOVASTAR FINANCIAL, INC.  
(Exact name of registrant as specified in its charter)

Maryland	001-13533	74-2830661
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(State or other jurisdiction of incorporation or organization)	(Commission File Number)	(I.R.S. Employer Identification No.)

8140 Ward Parkway, Suite 300, Kansas City, MO 64114

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(Address of principal executive offices)  
(Zip Code)

(816) 237-7000

-----  
(Registrant's telephone number, including area code)

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 filing 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 (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))

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**Item 3.01 Notice of Delisting or Failure to Satisfy a Continued Listing Rule or Standard; Transfer of Listing.**

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The disclosure under "Item 8.01 Other Events" with respect to the Company's discussions with the New York Stock Exchange ("NYSE") is incorporated herein by reference.

**Item 8.01 Other Events**

The Company announced that it will not be able to pay a dividend on its common stock with respect to its 2006 taxable income as previously announced on July 16, 2007, and as a result the Company's status as a REIT will terminate, retroactive to January 1, 2006. As a result of the Company's change in corporate structure, the Company is currently reviewing the NYSE listing requirements applicable to companies other than REITs and is engaged in continuing discussions with the NYSE.

A copy of the press release announcing these matters is attached hereto as Exhibit 99.1 and is incorporated herein by reference.

References to the Company's website do not incorporate by reference the information on the Company's website into this Current Report, and the Company disclaims any such incorporation by reference.

**Item 9.01 Financial Statement and Exhibits**

(d) Exhibits.

<u>Exhibit No.</u>	<u>Document</u>
99.1	Press Release, dated September 17, 2007, "NovaStar Financial, Inc. Will Not Distribute REIT Dividend After Market Changes Make New Issue of Preferred Securities Not Possible."

**SIGNATURE**

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.

NOVASTAR FINANCIAL, INC.

DATE: September 17, 2007

/s/ Gregory S. Metz

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Gregory S. Metz  
Chief Financial Officer

**Index to Exhibits**

<u>Exhibit No.</u>	<u>Document</u>
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99.1

Press Release, dated September 17, 2007, "NovaStar Financial, Inc. Will Not Distribute REIT Dividend After Market Changes Make New Issue of Preferred Securities Not Possible."