## Edgar Filing: HERSCHKOWITZ SAMUEL /FA/ - Form 4

HERSCHKOWITZ SAMUEL /FA/ Form 4 December 21, 2005 OMB APPROVAL FORM 4 UNITED STATES SECURITIES AND EXCHANGE COMMISSION OMB 3235-0287 Washington, D.C. 20549 Number: Check this box January 31, Expires: if no longer 2005 STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF subject to Estimated average **SECURITIES** Section 16. burden hours per Form 4 or response... 0.5 Form 5 Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, obligations Section 17(a) of the Public Utility Holding Company Act of 1935 or Section may continue. 30(h) of the Investment Company Act of 1940 See Instruction 1(b). (Print or Type Responses) 1. Name and Address of Reporting Person \* 5. Relationship of Reporting Person(s) to 2. Issuer Name and Ticker or Trading HERSCHKOWITZ SAMUEL /FA/ Issuer Symbol DELCATH SYSTEMS INC [DCTH] (Check all applicable) (First) (Middle) (Last) 3. Date of Earliest Transaction (Month/Day/Year) \_X\_\_ Director 10% Owner X\_Officer (give title Other (specify C/O DELCATH SYSTEMS 12/20/2005 below) below) **INC. 1100 SUMMER STREET** Chief Technical Officer (Street) 4. If Amendment, Date Original 6. Individual or Joint/Group Filing(Check Filed(Month/Day/Year) Applicable Line) \_X\_ Form filed by One Reporting Person Form filed by More than One Reporting STAMFORD, CT 06905 Person (City) (State) (Zip) Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned 1.Title of 2. Transaction Date 2A. Deemed 3. 4. Securities Acquired 5. Amount of 6. Ownership 7. Nature of Security (Month/Day/Year) Execution Date, if Transaction(A) or Disposed of (D) Securities Form: Direct Indirect (Instr. 3) any Code (Instr. 3, 4 and 5) Beneficially (D) or Beneficial Indirect (I) Ownership (Month/Day/Year) (Instr. 8) Owned Following (Instr. 4) (Instr. 4) Reported (A) Transaction(s) or (Instr. 3 and 4) Code V Amount (D) Price Common X 40.000 A 150,000 (1) D Stock, par 12/20/2005 1.03

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

value \$0.01

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 Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned
 (e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transactic Code (Instr. 8)	5. Number of orDerivative 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	Amour or Numbe of Shar
Incentive Stock Option (right to buy)	\$ 2.78	07/07/2005		J <u>(2)</u>	0	(4)	07/07/2010	Common Stock	50,00
Incentive Stock Option (right to buy)	\$ 3.3125	10/05/2005		J <u>(2)</u>	0	(3)	12/01/2010	Common Stock	30,15
Nonqualified Stock Option (right to buy)	\$ 3.3125	10/05/2005		J <u>(2)</u>	0	(3)	12/01/2010	Common Stock	30,15
Incentive Stock Option (right to buy)	\$ 3.59	11/08/2005		J <u>(2)</u>	0	<u>(4)</u>	11/08/2010	Common Stock	16,98
Nonqualified Stock Option (right to buy)	\$ 3.59	11/08/2005		J <u>(2)</u>	0	<u>(4)</u>	11/08/2010	Common Stock	53,02
Incentive Stock Option (right to buy)	\$ 1.03	12/20/2005		Х	40,000	(3)	08/25/2008	Common Stock	40,00

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## **Reporting Owners**

<b>Reporting Owner Name / Address</b>	Relationships						
	Director	10% Owner	Officer	Other			
HERSCHKOWITZ SAMUEL /FA/ C/O DELCATH SYSTEMS INC 1100 SUMMER STREET STAMFORD, CT 06905	Х		Chief Technical Offi	hnical Officer			
Signatures							
SAMUEL HERSCHKOWITZ, By /s	,	12/21/2005					

Attorney-in-fact

\*\*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).
- (1) The reporting person also has a pecuniary interest in approximately 63,000 shares owned by the Venkol Trust.
- (2) This transaction was previously reported.
- (3) Currently exercisable.
- (4) Based on action of the Compensation Committee of the Board of Directors of the issuer, this option is currently exercisable.

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.