

TRINITY INDUSTRIES INC  
Form 8-K  
November 03, 2004

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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):

November 2, 2004

Trinity Industries, Inc.

(Exact name of registrant as specified in its charter)

Delaware

1-6903

75-0225040

(State or other jurisdiction  
of incorporation)

(Commission  
File Number)

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

2525 Stemmons Freeway, Dallas, Texas

75207-2401

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code:

214-631-4420

Not Applicable

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 2.02. Results of Operations and Financial Condition.**

The Registrant hereby furnishes the information set forth in its News Release, dated November 2, 2004, announcing operating results for the third quarter of 2004, a copy of which is furnished as exhibit 99.1 and incorporated herein by reference. On November 3, 2004, the Registrant held a conference call and web cast with respect to its financial results for the third quarter of 2004. The conference call scripts of Neil O. Shoop, Treasurer, John L. Adams, Executive Vice President, Timothy R. Wallace, Chairman, President and Chief Executive Officer, D. Steven Menzies, President of Trinity Industries Leasing Company, and Jim S. Ivy, Senior Vice Preside and Chief Financial Office are furnished as exhibits 99.2, 99.3, 99.4, 99.5, and 99.6 respectively, and incorporated herein by reference. This information in not "filed" pursuant to the Securities and Exchange Act and is not incorporated by reference into any Securities Act registration statements. Additionally, the submission of the report on Form 8-k is not an admission of the materiality of any information in this report that is required to be disclosed solely by Regulations FD.

**Item 7.01. Regulation FD Disclosure.**

The Registrant hereby furnishes the information set forth in its News Release, dated November 2, 2004, announcing operating results for the third quarter of 2004, a copy of which is furnished as exhibit 99.1 and incorporated herein by reference. On November 3, 2004, the Registrant held a conference call and web cast with respect to its financial results for the third quarter of 2004. The conference call scripts of Neil O. Shoop, Treasurer, John L. Adams, Executive Vice President, Timothy R. Wallace, Chairman, President and Chief Executive Officer, D. Steven Menzies, President of Trinity Industries Leasing Company, and Jim S. Ivy, Senior Vice Preside and Chief Financial Office are furnished as exhibits 99.2, 99.3, 99.4, 99.5, and 99.6 respectively, and incorporated herein by reference. This information in not "filed" pursuant to the Securities and Exchange Act and is not incorporated by reference into any Securities Act registration statements. Additionally, the submission of the report on Form 8-k is not an admission of the materiality of any information in this report that is required to be disclosed solely by Regulations FD.

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**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.

Trinity Industries, Inc.

*November 3, 2004*

By: *Michael G. Fortado*

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*Name: Michael G. Fortado*

*Title: Vice President and Secretary*

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Exhibit Index

| <u>Exhibit No.</u> | <u>Description</u>   |
|--------------------|--|
| 99.1               | News Release of Registrant dated November 2, 2004 with respect to the operating results for the third quarter of 2004. |
| 99.2               | Conference call script of November 3, 2004 of Neil O. Shoop, Treasurer.  |
| 99.3               | Conference call script November 3, 2004 of John L. Adams, Executive Vice President.                                    |
| 99.4               | Conference call script of November 3, 2004 of Timothy R. Wallace, Chairman, President and Chief Executive Officer.     |
| 99.5               | Conference call script of November 3, 2004 of D. Steven Menzies, President and Trinity Industries Leasing Company.     |
| 99.6               | Conference call script of November 3, 2004 of Jim S. Ivy, Senior Vice President and Chief Financial Officer.           |