Harbor BioSciences, Inc. Form 8-K March 17, 2010

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): 03/17/2010

Harbor BioSciences, Inc.

(Exact name of registrant as specified in its charter)

Commission File Number: 000-24672

DE (State or other jurisdiction of incorporation) 13-3697002 (IRS Employer Identification No.)

4435 Eastgate Mall, Suite 400, San Diego, CA 92121 (Address of principal executive offices, including zip code)

858.587.9333

(Registrant s telephone number, including area code)

(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intend	led to simultaneously satisfy the filing obligation of the registrant under
any of the following provisions:	

	or the tono mag provides
[]	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

On March 16, 2010, Harbor BioSciences, Inc. (the "Company") received notice from The Nasdaq Stock Market that its application had been approved to transfer the listing of its common stock to The Nasdaq Capital Market from The Nasdaq Global Market. The transfer will be effective at the opening of the market on March 18, 2010. The Company will continue to trade under the symbol "HRBR."

The Nasdaq Capital Market is a continuous trading market that operates in substantially the same manner as the Nasdaq Global Market. All companies listed on the Nasdaq Capital Market must meet certain financial requirements and adhere to Nasdaq's corporate governance standards. The Company elected to transfer the listing of its common stock to the Nasdaq Capital Market because it no longer met certain listing requirements of the NASDAQ Global Market. The Company believes it is in compliance with all applicable criteria for continued listing on the Nasdaq Capital Market, but for the \$1.00 per share minimum bid price requirement set forth in Listing Rule 5550(a)(2). The Company will continue to monitor the bid price of its common stock and will consider available options if its common stock does not trade at a price level likely to result in the Company gaining compliance with Listing Rule 5550(a)(2) prior to the September 13, 2010 grace period deadline.

Item 9.01. Financial Statements and Exhibits

(d) Exhibits.

99.1 Press Release dated March 17, 2010.

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.

Harbor BioSciences, Inc.

Date: March 17, 2010 By: /s/ /Robert Weber/

Robert Weber Chief Financial Officer

EXHIBIT INDEX

B 1 44 14

EX-99.1 Press Release dated March 17, 2010

Reporting Owners

Reporting Owner Name / Address	Relationships			
• 5	Director	10% Owner	Officer	Other
DUNCAN FREEMAN B 421 WEST RIVERSIDE, SUITE 113 SPOKANE, WA 99201	X			

Signatures

Holly Austin, by power of attorney 05/03/2010

**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) Director Compensation

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.

Reporting Owners 3

[&]quot;>Date ExercisableExpiration DateTitleAmount or Number of Shares