

HEMISPHERX BIOPHARMA INC

Form 8-K

August 15, 2017

**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)

**August 15, 2017 (August 14, 2017)**

**HEMISPHERX BIOPHARMA, INC.**

(Exact name of registrant as specified in its charter)

**Delaware**

(state or other jurisdiction  
of incorporation)

**000-27072**

(Commission  
File Number)

**52-0845822**

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

**1617 JFK Boulevard, Suite 500, Philadelphia, PA 19103**  
(Address of principal executive offices) (Zip Code)

Registrant's telephone number, including area code: **(215) 988-0080**

**1617 JFK Boulevard, Suite 500, Philadelphia, PA 19103**

(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 (see General Instruction A.2. below):

☐ 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))

Indicate by check mark whether the registrant is an emerging growth company as defined in as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging growth company ☐

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act. ☐

## **Item 2.02 Results of Operations and Financial Condition**

On August 14, 2017, Hemispherx Biopharma, Inc. (the “Company”) filed its quarterly report on Form 10-Q for the quarter ended June 30, 2017 and, thereafter, issued a press release announcing its financial results for that quarter. A copy of the press release is furnished as Exhibit 99.1 hereto and is incorporated herein by reference.

As noted in the press release, the Company will host a conference call at 1:00 PM Eastern Daylight Time (EDT) on Tuesday, August 15, 2017 to provide a general business update. Hemispherx will respond to various stockholder questions submitted prior to the call.

### **Conference Call Information**

Date: Tuesday, August 15, 2017  
Time: 1:00 PM EDT  
Dial-in numbers: 800-346-7359 (domestic)  
973-528-0008 (international)  
Conference number: 27781  
Questions: [ir@hemispherx.net](mailto:ir@hemispherx.net) by 5:00 p.m. EDT on Monday, August 14, 2017  
[http://ir.hemispherx.net/Events\\_Presentations](http://ir.hemispherx.net/Events_Presentations)

## **Item 7.01 Regulation FD Disclosure.**

The information disclosed in Item 2.02 above is incorporated into this Item 7.01. The information included in this Current Report on Form 8-K (including the exhibit hereto) is being furnished under Item 2.02, “Results of Operations and Financial Condition,” Item 7.01, “Regulation FD Disclosure” and Item 9.01 “Financial Statements and Exhibits” of Form 8-K. As such, the information (including the exhibit) herein shall not be deemed to be “filed” for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the “Exchange Act”), or otherwise subject to the liabilities of that Section, nor shall it be incorporated by reference into a filing under the Securities Act of 1933, as amended, or the Exchange Act, regardless of any general incorporation language in such filing, except as shall be expressly set forth by specific reference in such a filing. This Current Report (including the exhibit hereto) will not be deemed an admission as to the materiality of any information required to be disclosed solely to satisfy the requirements of Regulation FD.

## **Item 9.01. Financial Statements and Exhibits.**

**(d) Exhibits.**

**Exhibit No. Description**

99.1 Press Release dated August 15, 2017

## **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.

Dated: August 15, 2017 HEMISPHERX BIOPHARMA, INC.

By: */s/ Thomas K. Equels*  
Thomas K. Equels, President & CEO

