

HEMISPHERX BIOPHARMA INC

Form 8-K

January 22, 2018

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)

January 22, 2018 (January 22, 2018)

HEMISPHERX BIOPHARMA, INC.

(Exact name of registrant as specified in its charter)

Delaware

(state or other jurisdiction
of incorporation)

0 - 27072

(Commission
File Number)

52-0845822

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

860 N. Orange Avenue, Suite B, Orlando, FL 32801
(Address of principal executive offices) (Zip Code)

Registrant's telephone number, including area code: **(407) 271-8516**

860 N. Orange Avenue, Suite B, Orlando, FL 32801

(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 7.01. Regulation FD Disclosure.

On January 22, 2018, we issued a letter from Thomas K. Equels, our CEO, to our employees, contractors, partners and stockholders. The letter focuses on one of our primary reasons for being, a treatment for Myalgic Encephalomyelitis/Chronic Fatigue Syndrome (“ME/CFS”), one of the disease targets for our drug Ampligen®. Mr. Equels recommends viewing of the recently released movie “Unrest”, a PBS broadcast by filmmaker Jennifer Brea, who turned the lens on herself and others suffering from severe ME/CFS to document the symptoms associated with ME/CFS. The film illustrates that ME/CFS is a seriously debilitating disease suffered by as many as 2.5 million Americans, according to the CDC. It challenges the myth that the disease is a mental disorder rather than a biological disorder.

The letter is attached hereto as Exhibit 99.1. In accordance with General Instruction B.2 of Form 8-K, the information set forth herein is deemed to be “furnished” and shall not be deemed to be “filed” for purposes of the Securities Exchange Act of 1934, as amended.

Exhibit No.	Description
99.1	<u>CEO letter to Hemispherx Biopharma, Inc. employees, contractors, partners and stockholders dated January 22, 2018*</u>

* The following exhibit relating to Item 7.01 is intended to be furnished to, not filed with, the SEC pursuant to Regulation FD.

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.

HEMISPHERX BIOPHARMA, INC.

January 22, 2018

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

