

COMFORT SYSTEMS USA INC

Form 4

August 16, 2007

# FORM 4

UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

## STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
WAGNER ROBERT D

2. Issuer Name and Ticker or Trading Symbol  
COMFORT SYSTEMS USA INC  
[FIX]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

3. Date of Earliest Transaction  
(Month/Day/Year)

Director  10% Owner  
 Officer (give title below)  Other (specify below)

1777 SAINT ANDREWS PLACE

08/14/2007

(Street)

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)

Form filed by One Reporting Person  
 Form filed by More than One Reporting Person

WESTLAKE  
VILLAGE, CA 91362-4716

(City) (State) (Zip)

### Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

| 1. Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) |                   | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|-------------------|---|--|-----------------------------------|
|                                 |                                      |  |                                | Code  | V Amount or Price |   |  |                                   |
| Common Stock                    | 08/14/2007                           |  | M                              |   | 1,600 A \$ 2.14   | 11,600  | D  |                                   |
| Common Stock                    | 08/14/2007                           |  | S                              |   | 1,600 D \$ 14.48  | 10,000  | D  |                                   |
| Common Stock                    | 08/15/2007                           |  | M                              |   | 8,400 A \$ 2.14   | 18,400  | D  |                                   |
| Common Stock                    | 08/15/2007                           |  | S                              |   | 8,400 D \$ 14.48  | 10,000  | D  |                                   |
| Common Stock                    | 08/15/2007                           |  | M                              |   | 10,000 A \$ 2.36  | 20,000  | D  |                                   |

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Common Stock      08/15/2007      S      10,000      D      \$ 14.48      10,000      D

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

**Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.**

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(9-02)

**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. Transaction Code (Instr. 8) | 5. Number of Derivative 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 of Underlying Securities (Instr. 3 and 4) | Amount or Number of Shares |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|----------------------------|
| Option to Buy                              | \$ 2.14  | 08/14/2007                           |  | M                              | 1,600   | 04/09/2001 04/09/2011                                    | Common Stock  | 1,600                      |
| Option to Buy                              | \$ 2.14  | 08/15/2007                           |  | M                              | 8,400   | 04/09/2001 04/09/2011                                    | Common Stock  | 8,400                      |
| Option to Buy                              | \$ 2.36  | 08/15/2007                           |  | M                              | 10,000  | 05/22/2003 05/22/2013                                    | Common Stock  | 10,000                     |

## Reporting Owners

**Reporting Owner Name / Address**

**Relationships**

Director    10% Owner    Officer    Other

WAGNER ROBERT D  
1777 SAINT ANDREWS PLACE      X  
WESTLAKE VILLAGE, CA 91362-4716

## Signatures

/s/ Robert D.      08/16/2007  
Wagner, Jr.

\*\*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).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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