DEPOMED INC Form 8-K/A December 23, 2002

## SECURITIES AND EXCHANGE COMMISSION

**WASHINGTON, DC 20549** 

## FORM 8 K/A

# Amendment No. 1 to Current Report Dated November 22, 2002

**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 22, 2002

# **DEPOMED, INC.**

(Exact name of registrant as specified in its charter)

**California** (State of Incorporation or Organization)

001-13111

94-3229046

(Commission File Number)

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

1360 O Brien Drive, Menlo Park, California

94025

(Address of principal executive offices)

(Zip Code)

Registrant s telephone no., including area code: (650) 462-5900

### NOT APPLICABLE

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

## Item 7. Financial Statements and Exhibits

#### Exhibits

10.1 Settlement and Release Agreement, dated as of November 22, 2002, between DepoMed, Inc. and Bristol-Myers Squibb Company.

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#### **SIGNATURE**

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 thereunto duly authorized.

DEPOMED, INC.

/s/John F. Hamilton John F. Hamilton Vice President - Finance and Chief Financial Officer

Date: December 23, 2002

### EXHIBIT INDEX

#### Exhibit

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