

Akebia Therapeutics, Inc.
Form 8-K
March 18, 2019

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): March 18, 2019

AKEBIA THERAPEUTICS, INC.
(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction

of incorporation)

245 First Street

001-36352
(Commission

File Number)

20-8756903
(IRS Employer

Identification No.)

02142

Cambridge, Massachusetts
(Address of principal executive offices) **(Zip Code)**
Registrant's telephone number, including area code: (617) 871-2098

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:

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 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 March 18, 2019, Akebia Therapeutics, Inc. (the Company) announced preliminary financial results for the quarter and fiscal year ended December 31, 2018 and commented on certain corporate accomplishments and plans. The Company also announced that it will be delayed in filing its Annual Report on Form 10-K for the fiscal year ended December 31, 2018 (the Annual Report), as permitted under Rule 12b-25 of the Securities Exchange Act of 1934, as amended (the Exchange Act), due to additional time being needed to complete preparation of the Annual Report in light of the December 12, 2018 closing of the Company s business combination with Keryx Biopharmaceuticals, Inc. The Company plans to file its Annual Report within the 15 calendar-day period provided under Rule 12b-25. The full text of the press release issued in connection with these announcements is furnished as Exhibit 99.1 to this Current Report on Form 8-K (this Report) and is incorporated by reference into this Item 2.02.

The information in this Report (including Items 2.02 and Exhibit 99.1) shall not be deemed filed for purposes of Section 18 of the Exchange Act, or otherwise subject to the liabilities of that section, nor shall it be deemed incorporated by reference in any filing under the Exchange Act or the Securities Act of 1933, as amended, except as expressly set forth by specific reference in such a filing.

Item 9.01. Financial Statements and Exhibits.

(d) Exhibits

| Exhibit No. | Description |
|------------------------|---|
| 99.1 | <u>Press Release, dated March 18, 2019, issued by Akebia Therapeutics, Inc.</u> |

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.

AKEBIA THERAPEUTICS, INC.

Date: March 18, 2019

By: /s/ John P. Butler

Name: John P. Butler

Title: President and Chief Executive Officer