

GIBALTAR INDUSTRIES, INC.
Form 8-K/A
August 03, 2010

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, DC 20549
FORM 8-K/A
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 3, 2010**

GIBALTAR INDUSTRIES, INC.

(Exact name of registrant as specified in its chapter)

Delaware

0-22462

16-1445150

(State or other jurisdiction of
incorporation)

(Commission File
Number)

(IRS Employer
Identification No.)

3556 Lake Shore Road
P.O. Box 2028
Buffalo, New York

14219-0228

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code (716) 826-6500

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)).
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The Registrant filed an 8-K on July 24, 2009 (the Form 8-K) reporting its entry into the Third Amended and Restated Credit Agreement (the Agreement) with a syndicate of banks led by Key Bank National Association. The Registrant did not include the exhibits and schedules referenced in the Agreement. The Registrant is now filing a complete copy of the Agreement including all exhibits and schedules on this Form 8-K/A. Certain proprietary and confidential information has been redacted, as noted in the Agreement.

Except for the inclusion of the exhibits and the schedules attached in this amendment on Form 8-K/A, the Current Report on Form 8-K filed July 24, 2009 continues to describe conditions as of that date, and the disclosures contained herein have not been updated to reflect events, results or developments that have occurred after the date of the Form 8-K, or to modify or update any of those disclosures affected by subsequent events. Among other things, forward-looking statements made in the Form 8-K have not been revised to reflect events, results or developments that have occurred or facts that have become known to us after the date of the Form 8-K, and such forward-looking statements should be read in their historical context as of that date. This amendment on Form 8-K should be read in conjunction with the Registrant's filings made with the Securities and Exchange Commission, Subsequent to the date of the Form 8-K, including any amendments to those filings.

ITEM 9.01. Financial Statements and Exhibits

(a) Financial Statements of Businesses Acquired. Not applicable.

(b) Pro Forma Financial Information. Not applicable.

(c) Shell Company Transactions. Not applicable.

(d) Exhibits.

10.1 Third Amended and Restated Credit Agreement dated July 24, 2009.**

99.1 Press Release issued July 27, 2009.*

* Previously filed

** Certain
information on
Schedules 2.2,
6.18 and 6.19
has been
omitted
pursuant to a
request for
confidential
treatment and
has been filed
separately with
the Securities
and Exchange
Commission

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the Registrant has duly caused this Report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: August 3, 2010

GIBALTAR INDUSTRIES, INC.

/s/ Kenneth W. Smith

Name: Kenneth W. Smith

Title: Senior Vice President and Chief
Financial Officer

EXHIBIT INDEX

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99.1 Press Release issued July 27, 2009.*

* Previously filed

** Certain information on Schedules 2.2, 6.18 and 6.19 has been omitted pursuant to a request for confidential treatment and has been filed separately with the Securities and Exchange Commission.