

HILLENBRAND INDUSTRIES INC

Form 8-K

January 07, 2003

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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): December 31, 2002

HILLENBRAND INDUSTRIES, INC.

(Exact name of registrant as specified in its charter)

Indiana
(State or other jurisdiction
of incorporation)

1-6651
(Commission
File Number)

35-1160484
(IRS Employer
Identification No.)

700 State Route 46 East
Batesville, Indiana
(Address of principal executive
offices)

47006-8835
(Zip Code)

Registrant's telephone number, including area code: (812) 934-7000

Not Applicable
(Former name or former address,
if changed since last report.)

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Item 5. OTHER EVENTS.

Item 7. FINANCIAL STATEMENTS AND EXHIBITS.

SIGNATURES

EXHIBIT INDEX

EX-99.1 Press Release dated December 31, 2002

EX-99.2 Press Release dated January 2, 2003

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Item 5. OTHER EVENTS.

On December 31, 2002, the Company announced that it had entered into a comprehensive settlement agreement relating to all pending antitrust litigation between the Company and Kinetic Concepts, Inc. The Company has taken a litigation charge of \$250 million with respect to the settlement.

On January 2, 2003, the Company announced that the United States District Court for the Western District of Texas, San Antonio Division, had dismissed with prejudice all pending antitrust litigation between the Company and Kinetic Concepts, Inc. The review and approval of the settlement agreement and subsequent dismissal of the case represents the definitive settlement of the litigation between the companies.

These announcements are more fully described in the press releases filed as Exhibits 99.1 and 99.2 to this Current Report on Form 8-K. The contents of such Exhibits are incorporated herein by reference.

Item 7. FINANCIAL STATEMENTS AND EXHIBITS.

(c) Exhibit.

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|------|--|
| 99.1 | Press release dated December 31, 2002 issued by the Company. |
| 99.2 | Press release dated January 2, 2003 issued by the Company. |

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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.

HILLENBRAND INDUSTRIES, INC.

DATE: January 2, 2003

BY: /s/ Scott K. Sorensen

Scott K. Sorensen
Vice President and
Chief Financial Officer

DATE: January 2, 2003

BY: /s/ Gregory N. Miller

Gregory N. Miller
Vice President Controller and
Chief Accounting Officer

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EXHIBIT INDEX

| Exhibit Number | Exhibit Description |
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