Edgar Filing: TONTINE CAPITAL MANAGEMENT LLC - Form 4

TONTINE Form 4 August 15,	CAPITAL MANA	AGEMEN	T LLC							
FORM	ЛЛ								OMB A	PPROVAL
FURI	VI 4 UNITED	STATES			AND EX(1, D.C. 20		NGE CO	OMMISSION	OMB Number:	3235-0287
Check t if no los	nger			U					Expires:	January 31,
subject Section Form 4	to STATEN 16. or	STATEMENT OF CHANGES IN BENEFICIAL OWNERSE SECURITIES								2005 average rs per 0.5
Form 5 obligati may co <i>See</i> Inst 1(b).	ntinue. Frida put	(a) of the I	Public U	Jtility Ho		npany	Act of	Act of 1934, 1935 or Section)		
(Print or Type	e Responses)									
	Address of Reporting L JEFFREY L ET		Symbol		nd Ticker or '		.9	5. Relationship of I Issuer	Reporting Per	son(s) to
(Last)	(First) (Middle)			Transaction	5 [21		(Check	all applicable	e)
() () () Duite			Day/Year)				DirectorOwnerOther (specify below)			
	(Street)		4. If An	nendment, I	Date Original			6. Individual or Joi	nt/Group Filii	ng(Check
GREENW	ICH, CT 06830		Filed(M	onth/Day/Ye	ar)			Applicable Line) Form filed by Or _X_ Form filed by M Person		
(City)	(State)	(Zip)	Tal	ble I - Non-	Derivative S	Securi	ities Acqu	ired, Disposed of,	or Beneficial	lly Owned
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deeme Execution I any (Month/Da	Date, if	3. Transactio Code (Instr. 8)	4. Securitie our Disposed (Instr. 3, 4 a)	d of (E))	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 Indirect Beneficial Ownership (Instr. 4)
Common Stock, \$0.01 par value per share	08/11/2011			Code V	Amount 31,994 (3)	(D) D	Price \$ 5.0011 (3)	(inst. 5 and 4) 9,457,482 <u>(3)</u>	I	See Footnotes $\frac{(1)}{(7)} \frac{(2)}{(8)} \frac{(5)}{(6)}$
Common Stock, \$0.01 par value per share	08/11/2011			S	353,358 (3)	D	\$ 5.0011 (<u>3)</u>	9,104,124 <u>(3)</u>	I	See Footnotes (1) (2) (5) (6) (7) (8)
Common Stock,	08/11/2011			S	79,648 (3)	D	\$ 5.0011	9,024,476 <u>(3)</u>	Ι	See Footnotes

\$0.01 par value per share					(3)		$\frac{(1)}{(7)}\frac{(2)}{(8)}\frac{(5)}{(6)}$
Common Stock, \$0.01 par value per share	08/12/2011	S	214,793 (3)	D	\$ 5.0324 (<u>3)</u>	8,809,683 <u>(3)</u> I	See Footnotes (1) (2) (5) (6) (7) (8)
Common Stock, \$0.01 par value per share	08/12/2011	S	44,395 (4)	D	\$ 5.0324 (4)	8,765,288 <u>(4)</u> I	See Footnotes (1) (2) (5) (6) (7) (8)
Common Stock, \$0.01 par value per share	08/15/2011	S	124,980 (4)	D	\$ 5.1778 (4)	8,640,308 (4) I	See Footnotes (1) (2) (5) (6) (7) (8)
Common Stock, \$0.01 par value per share	08/15/2011	S	25,832 (<u>4)</u>	D	\$ 5.1778 (4)	$8,614,476 \frac{(4)}{(5)}$ I	See Footnotes (1) (2) (5) (6) (7) (8)

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.

 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)	4. Transactic Code (Instr. 8)	5. of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)		ate	Amou Unde Secur	le and unt of rlying ities . 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Nu Deriv Secu Bene Owne Follo Repo Trans (Instr
			Code V	(A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares		

Reporting Owners

Reporting Owner Name / Address					
hepoting of the funct function	Director	10% Owner	Officer	Other	
GENDELL JEFFREY L ET AL 55 RAILROAD AVENUE GREENWICH, CT 06830		Х			
TONTINE CAPITAL MANAGEMENT LLC 55 RAILROAD AVENUE GREENWICH, CT 06830		Х			
TONTINE PARTNERS L P 55 RAILROAD AVENUE GREENWICH, CT 06830		Х			
TONTINE MANAGEMENT LLC 55 RAILROAD AVENUE GREENWICH, CT 06830		Х			
TONTINE OVERSEAS ASSOCIATES LLC 55 RAILROAD AVENUE GREENWICH, CT 06830		Х			
TONTINE CAPITAL OVERSEAS MASTER FUND II, L.P. 55 RAILROAD AVENUE GREENWICH, CT 06830		Х			
TONTINE ASSET ASSOCIATES, L.L.C. 55 RAILROAD AVENUE GREENWICH, CT 06830		Х			
Tontine Associates, LLC 55 RAILROAD AVENUE GREENWICH, CT 06830		Х			
Signatures					
Tontine Capital Management, L.L.C., By: its Managing Memb	oer, /s/ Jef	frey L. Gend	lell		08/15/2011 Date
Tontine Partners, L.P., By: its General Partner, Tontine Manag Managing Member, /s/ Jeffrey L. Gendell	gement, L.	L.C., By: its			08/15/2011
**Signature of Reporting Person					Date
Tontine Management, L.L.C., By: its Managing Member, /s/ J	effrey L. C	Gendell			08/15/2011
**Signature of Reporting Person					Date
Tontine Overseas Associates, L.L.C., By: its Managing Memb	er, /s/ Jeff	rey L. Gend	ell		08/15/2011
**Signature of Reporting Person					Date
Tontine Capital Overseas Master Fund II, L.P. By: its General Associates, L.L.C., By: its Managing Member, /s/ Jeffrey L. Go		Contine Asse	t		08/15/2011
<u>**</u> Signature of Reporting Person					Date

Edgar Filing: TONTINE CAPITAL MANAGEMENT LLC - Form 4

Tontine Asset Associates, L.L.C., By: its Managing Member, /s/ Jeffrey L. Gendell					
**Signature of Reporting Person	Date				
Tontine Associates, L.L.C., By: its Managing Member, /s/ Jeffrey L. Gendell					
**Signature of Reporting Person	Date				
/s/ Jeffrey L. Gendell	08/15/2011				
**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).

This report is filed jointly by Tontine Capital Management, L.L.C., a Delaware limited liability company ("TCM"), Tontine Partners, L.P., a Delaware limited partnership ("TP"), Tontine Management, L.L.C., a Delaware limited liability company ("TM"), Tontine

(1) Overseas Associates, L.L.C., a Delaware limited liability company ("TOA"), Tontine Capital Overseas Master Fund II, L.P., a Cayman Islands limited partnership ("TCP 2"), Tontine Asset Associates, L.L.C., a Delaware limited liability company ("TA"), Tontine Associates, L.L.C., a Delaware limited liability company ("TA") and Jeffrey L. Gendell ("Mr. Gendell").

(2) Mr. Gendell is the managing member of: (a) TCM; (b) TM, the general partner of TP; (c) TOA; (d) TAA, the general partner of TCP 2; and (e) TA.

On August 11, 2011, TCP 2 sold 31,994 shares of Common Stock at a weighted average price of \$5.0011 per share, at prices ranging from \$5.0000 to \$5.0111 per share. On August 11, 2011, TP sold 353,358 shares of Common Stock at a weighted average price of
 (3) \$5.0011 per share, at prices ranging from \$5.0000 to \$5.0111 per share. On August 11, 2011, TA sold 79,648 shares of Common Stock at

(5) \$5.0011 per share, at prices ranging from \$5.0000 to \$5.0111 per share. On August 11, 2011, 1A sold 79,048 shares of Common Stock at a weighted average price of \$5.0011 per share, at prices ranging from \$5.0000 to \$5.0111 per share. On August 12, 2011, TCP 2 sold 214,793 shares of Common Stock at a weighted average price of \$5.0324 per share, at prices ranging from \$5.0269 to \$5.0356 per share.

On August 12, 2011, TA sold 44,395 shares of Common Stock at a weighted average price of \$5.0324 per share, at prices ranging from \$5.0269 to \$5.0356 per share. On August 15, 2011, TCP 2 sold 124,980 shares of Common Stock at a weighted average price of \$5.1778

- (4) per share, at prices ranging from \$5.1583 to \$5.2065 per share. On August 15, 2011, TA sold 25,832 shares of Common Stock at a weighted average price of \$5.1778 per share, at prices ranging from \$5.1583 to \$5.2065 per share. The filing parties undertake to provide to the staff of the Securities and Exchange Commission, the Issuer or any security holder of the Issuer, upon request, full information regarding the number of shares purchased or sold at each separate price within the ranges described in this footnote.
- Mr. Gendell, TP and TAA directly own 0 shares of Common Stock, TCM directly owns 206,187 shares of Common Stock, TM directly owns 352,351 shares of Common Stock, TOA directly owns 641,413 shares of Common Stock, TCP 2 directly owns 7,138,939 shares of Common Stock and TA directly owns 161,487 shares of Common Stock.

All of the foregoing securities may be deemed to be beneficially owned by Mr. Gendell. The foregoing securities sold by TP may be (6) deemed to have been beneficially owned by TM. The foregoing securities held by TCP 2 may be deemed to be beneficially owned by TAA.

Mr. Gendell disclaims beneficial ownership of the Issuer's securities reported herein for purposes of Section 16(a) under the Securities Exchange Act of 1934, as amended, or otherwise, except as to securities directly owned by Mr. Gendell or representing Mr. Gendell's pro

(7) rata interest in, and interest in the profits of, TCM, TP, TM, TOA, TCP 2, TAA and TA. TM disclaims beneficial ownership of the Issuer's securities reported herein for purposes of Section 16(a) under the Securities Exchange Act of 1934, as amended, or otherwise, except as to securities directly owned by TM or representing TM's pro rata interest in, and interest in the profits of, TP.

TOA disclaims beneficial ownership of the Issuer's securities reported herein for purposes of Section 16(a) under the Securities Exchange Act of 1934, as amended, or otherwise, except as to securities directly owned by TOA. TAA disclaims beneficial ownership of the Issuer's securities reported herein for purposes of Section 16(a) under the Securities Exchange Act of 1934, as amended, or otherwise,

except as to securities directly owned by TAA or representing TAA's pro rata interest in, and interest in the profits of, TCP 2.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.

(8)