

OFFICE DEPOT INC
Form 8-K
June 03, 2011

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: June 3, 2011

Commission file number 1-10948

OFFICE DEPOT, INC.

(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction)

59-2663954
(I.R.S. Employer)

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of incorporation or organization)

Identification No.)

6600 North Military Trail, Boca Raton, FL
(Address of principal executive offices)

(561) 438-4800

33496
(Zip Code)

(Registrant's telephone number, including area code)

Former name or former address, if changed since last report: N/A

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))

Item 7.01 Regulation FD Disclosure.

On June 3, 2011, in a meeting with investors, Office Depot, Inc. (the Company) reported that May total Company sales were below prior year. The Company previously provided guidance that it expected total Company sales to be flat to slightly up for the second quarter of 2011 over 2010 and that EBIT, excluding charges, for the second quarter were expected to be better than last year. The Company hereby reaffirms its EBIT, excluding charges, guidance for the second quarter, as the Company expects sales softness to be offset by improved margins. April total Company sales were 3% above prior year and May total Company sales were less than 2% below prior year. This Form 8-K is being furnished solely to satisfy the requirements of Regulation FD. The Company does not intend to update its second quarter guidance before releasing earnings for the quarter. The furnishing of the information in this Item 7.01 is not intended to, and does not, constitute a representation that such furnishing is required by Regulation FD or that the information in this Item 7.01 is material information that is not otherwise publicly available.

This Form 8-K contains forward-looking statements within the meaning of the safe harbor provisions of the federal securities laws. It should be read in conjunction with Forward Looking Statements/Risk Factors and Cautionary Statement for Purposes of the Safe Harbor Provisions of the Private Securities Litigation Reform Act of 1995 in the Company's periodic reports filed with the Securities and Exchange Commission, that discuss important factors that could cause the Company's results to differ materially from those anticipated in such statements.

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.

Date: June 3, 2011

OFFICE DEPOT, INC.

By: /s/ Elisa D. Garcia C.
Elisa D. Garcia C.
Executive Vice President, General

Counsel & Corporate Secretary