

Edgar Filing: Con-way Inc. - Form 8-K

Con-way Inc.  
Form 8-K  
November 15, 2006

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

November 15, 2006

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Date of Report (Date of earliest event reported)

Con-way Inc.

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(Exact name of registrant as specified in its charter)

Delaware	1-5046	94-1444798
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(State or other jurisdiction of incorporation or organization)	(Commission File Number)	(IRS Employer Identification Number)

2855 Campus Drive, Suite 300, San Mateo, California 94403

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(Address of principal executive offices)  
(zip code)

Registrant's telephone number, including area code:  
(650) 378-5200

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(Former name or former address, if changed since last report.)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligations of the registrant under any of the following provisions (see General Instruction A.2 below):

- 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)

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- [ ] 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 8.01 Other Matters

In September 2003, the Company received notice from the U.S. Attorney's Office for the District of Columbia that its wholly-owned subsidiary Emery Worldwide Airlines, Inc. ("EWA") was being considered for possible civil action under the False Claims Act for allegedly submitting false invoices to the United States Postal Service ("USPS") for payment under EWA's Priority Mail contract with the USPS. On November 15, 2006, without admitting any wrongdoing on its part, EWA settled this dispute by paying \$10 million. EWA had previously established a reserve in that amount, so the settlement will have no affect on the Company's earnings. Notwithstanding the settlement, EWA denies that it engaged in any wrongdoing and denies that it violated the False Claims Act.

### 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.

Con-way Inc.

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(Registrant)

November 15, 2006

/s/ Jennifer W. Pileggi

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Jennifer W. Pileggi  
Senior Vice President,  
General Counsel & Secretary