ServisFirst Bancshares, Inc. Form 8-K February 03, 2010

# UNITED STATES SECURITIES AND EXCHANGE COMMISSION WASHINGTON, DC 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): February 2, 2010

SERVISFIRST BANCSHARES, INC. (Exact Name of Registrant as Specified in Its Charter)

Delaware (State or Other Jurisdiction of Incorporation)

0-53149 26-0734029 (Commission File Number) (IRS Employer Identification No.)

850 Shades Creek Parkway, Birmingham, Alabama 35209 (Address of Principal Executive Offices) (Zip Code)

205) 949-0302

(Registrant's Telephone Number, Including Area Code)

(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:

- " 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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#### Section 2 – Financial Information

Item 2.02. Results of Operations and Financial Condition.

On February 2, 2010, ServisFirst Bancshares, Inc. (the "Company") issued a press release correcting its previously reported operating results for the quarter and year ended December 31, 2009. This press release corrects an error in the Company's original press release issued on January 19, 2010. A copy of the corrective press release is attached as Exhibit 99.1.

The information in this Current Report on Form 8-K, including Exhibit 99.1, shall not be considered "filed" for purposes of Section 18 of the Securities and Exchange Act of 1934, as amended (the "Exchange Act"), or otherwise subject to the liabilities of that section, nor shall it be deemed incorporated by reference in any filing under the Securities Act of 1933, as amended or the Exchange Act.

Section 9 – Financial Statements and Exhibits

Item 9.01. Financial Statements and Exhibits.

(d) Exhibits Description

99.1 Press Release Issued February 2, 2010

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### **SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this Current Report on Form 8-K to be signed on its behalf by the undersigned hereunto duly authorized.

## SERVISFIRST BANCSHARES, INC.

Date: February 2, 2010 By: /s/William M. Foshee

William M. Foshee Executive Vice President and Chief Financial Officer

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