

ENCORE ACQUISITION CO

Form 8-K

December 01, 2005

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**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 (Date of earliest event reported): November 28, 2005  
ENCORE ACQUISITION COMPANY  
(Exact name of registrant as specified in its charter)**

**Delaware**  
(State or other jurisdiction  
of incorporation)

**001-16295**  
(Commission  
File Number)

**75-2759650**  
(IRS Employer  
Identification No.)

**777 Main Street, Suite 1400, Fort Worth, Texas**  
(Address of principal executive offices)

**76102**  
(Zip Code)

Registrant's telephone number, including area code: **(817) 877-9955**

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:

- o Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - o Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - o Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - o Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Item 1.01 Entry into a Material Definitive Agreement**

On November 28, 2005, Encore Acquisition Company (the Company ) entered into a separation agreement with Roy W. Jageman, the Company s former Executive Vice President, Chief Financial Officer and Corporate Secretary. Under the terms of the separation agreement, which is effective as of October 31, 2005, Mr. Jageman will receive an aggregate of \$590,000 in cash. Mr. Jageman will also be entitled to exercise his vested stock options for a period of three months after the effective date of the separation agreement, as provided under the original terms of his option grants. All unvested stock options and restricted stock will be forfeited. The separation agreement also contains certain confidentiality, noncompetition, nonsolicitation and nondisparagement covenants.

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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 thereunto duly authorized.

**ENCORE ACQUISITION COMPANY**

Date: December 1, 2005

By: /s/ Robert C. Reeves  
Robert C. Reeves  
Senior Vice President, Chief Accounting  
Officer and  
Controller