

DELCATH SYSTEMS INC  
Form 8-K  
October 17, 2008

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): October 14, 2008  
(Exact Name of Registrant as Specified in Charter)

DELCATH SYSTEMS, INC.  
(Exact Name of Registrant as  
Specified in Charter)

|   |  |  |
|---|--|--|
| DELAWARE<br>(State of<br>Incorporation) | 001-16133<br>(Commission<br>File Number) | 06-1245881<br>(IRS Employer<br>Identification No.) |
|---|--|--|

|  |                         |
|--|-------------------------|
| 600 FIFTH AVENUE, 23rd<br>FLOOR<br>NEW YORK, NEW YORK<br>(Address of Principal Executive<br>Offices) | 10020<br><br>(Zip Code) |
|--|-------------------------|

Registrant's telephone number, including area code: (212) 489-2100

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 5.02. Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.

Effective October 14, 2008 (the "Effective Date"), the Board of Directors of Delcath Systems, Inc. (the "Company") elected Eamonn Hobbs as a Director. Mr. Hobbs election was recommended by the Nominating & Governance Committee and approved by the unanimous action of the full Board of Directors. See Exhibit 99.1 attached hereto for biographical information about Mr. Hobbs.

Mr. Hobbs will receive the director fees and benefits described in the Company's Proxy Statement filed with the Securities and Exchange Commission on April 24, 2008. In addition, he was awarded on the Effective Date under the Company's 2004 Stock Incentive Plan (the "Plan") options to purchase (i) 50,000 shares of the Company's common stock at an exercise price per share equal to the Fair Market Value thereof on the Effective Date determined in accordance with the Plan, and (ii) 100,000 shares of the Company's common stock having an exercise price per share equal to 150% of such Fair Market Value. There are no other material transactions between Mr. Hobbs and the Company.

Item 9.01 Financial Statements and Exhibits

(d) Exhibits

| Exhibit<br>Number | Description   |
|-------------------|---------------|
| 99.1              | Press Release |

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.

Date: October 16, 2008

DELCATH SYSTEMS, INC.

|     |                       |                         |
|-----|-----------------------|-------------------------|
| By: | /s/ Paul M. Feinstein |                         |
|     | Name:                 | Paul M. Feinstein       |
|     | Title:                | Chief Financial Officer |