

DELCATH SYSTEMS, INC.  
Form 8-K  
January 07, 2019

**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): December 28, 2018**

**DELCATH SYSTEMS, INC.**

**(Exact name of registrant as specified in its charter)**

**Delaware**  
**(State or other jurisdiction**

**of incorporation)**

**001-16133**  
**(Commission**

**File Number)**

**1633 Broadway, Suite 22C, New York, New York**

**06-1245881**  
**(IRS Employer**

**Identification No.)**

**(Address of principal executive offices)**

**10019**

**(Zip code)**

**(212) 489-2100**

**(Registrant's telephone number, including area code)**

**None**

**(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 obligation 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)

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))  
Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to section 13(a) of the Exchange Act.

**Item 8.01 Other Information.**

On January 4, 2019, Delcath Systems, Inc. was notified by its litigation counsel that on December 28, 2018, the lawsuit, entitled Hudson Bay Master Fund Ltd. v. Delcath Systems, Inc., Index No. 653761/2018, was dismissed with prejudice by the filing of a Stipulation for Discontinuance in the New York State Supreme Court, New York County.

As of the date of this Current Report on Form 8-K, the Company has 10,569,454 shares of its common stock outstanding.

**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 hereunto duly authorized.

Date: January 7, 2019

DELCATH SYSTEMS, INC.

By: /s/ Jennifer Simpson

Name: Jennifer Simpson

Title: President and Chief Executive Officer