

INVIVO THERAPEUTICS HOLDINGS CORP.

Form 8-K

March 23, 2012

**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**

**March 23, 2012**

**Date of Report (Date of earliest event reported)**

**INVIVO THERAPEUTICS HOLDINGS CORP.**

**(Exact Name of Registrant as Specified in Charter)**

Edgar Filing: INVIVO THERAPEUTICS HOLDINGS CORP. - Form 8-K

(State or Other Jurisdiction

(Commission

(IRS Employer

of Incorporation)

File Number)

Identification No.)

**One Broadway, 14<sup>th</sup> Floor**

**Cambridge, Massachusetts 02142**

(Address of Principal Executive Offices) (Zip Code)

**(617) 475-1520**

(Registrant's telephone number, including area code)

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))

**Item 8.01 Other Events.**

*2012 Annual Meeting Date and Deadline for Receipt of Stockholder Proposals*

On March 23, 2012, the Board of Directors of InVivo Therapeutics Holdings Corp. (the Company) scheduled the date for its 2012 annual meeting of stockholders (the 2012 Annual Meeting) for Wednesday, May 30, 2012.

Because the expected date of the 2012 Annual Meeting represents a change of more than 30 days from the anniversary of the Company's 2011 annual stockholder meeting, the Company has set a new deadline for the receipt of stockholder proposals submitted pursuant to Rule 14a-8 under the Securities Exchange Act of 1934, as amended (the Exchange Act), for inclusion in the Company's proxy materials for the 2012 Annual Meeting. In order to be considered for inclusion, such proposals must be received in writing by the Company before the close of business on April 2, 2012. The April 2, 2012 deadline will also apply in determining whether notice of a stockholder proposal is timely for purposes of exercising discretionary voting authority with respect to proxies under Rule 14a-4(c) under the Exchange Act.

Additionally, in order for a stockholder to bring business before the 2012 Annual Meeting outside of Rule 14a-8 of the Exchange Act or to nominate a director, it must provide timely notice within the applicable time period set forth in the advance notice provisions of the Company's Amended and Restated Bylaws, which is also April 2, 2012.

**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.

INVIVO THERAPEUTICS HOLDINGS CORP.

Date: March 23, 2012

By: /s/ Frank M. Reynolds  
Frank M. Reynolds  
Chief Executive Officer