

ACHILLION PHARMACEUTICALS INC
Form 8-K
October 10, 2013

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 8, 2013

Achillion Pharmaceuticals, Inc.

(Exact name of registrant as specified in its charter)

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

**001-33095
(Commission
File Number)**

**52-2113479
(IRS Employer
Identification No.)**

300 George Street

**New Haven, CT
(Address of principal executive offices)**

**06511
(Zip Code)**

Registrant's telephone number, including area code: (203) 624-7000

N/A

(Former name or former address, if changed since last report)

Check the appropriate box if the Form 8-K 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 8.01. Other Events

On October 8, 2013, a class action lawsuit was filed against Achillion Pharmaceuticals, Inc. (the Company) and certain of its current and former officers in the United States District Court for the District of Connecticut, captioned *Sniezak v. Achillion Pharmaceuticals, Inc., et al.*, No. 3:13-cv-1479. The complaint purports to be brought on behalf of all persons and entities who purchased the Company's securities between April 21, 2012 and September 27, 2013. The complaint generally alleges that the Company and certain of its current and former officers violated Sections 10(b) and/or 20(a) of the Securities Exchange Act of 1934 and Rule 10b-5 promulgated thereunder by making allegedly false and/or misleading statements, as well as failing to disclose allegedly material facts relating to sovalprevir, the Company's clinical-stage drug candidate for the treatment of chronic hepatitis C viral infection, particularly that sovalprevir did not interact well with other drugs commonly administered to treat hepatitis and/or HIV and posed a health risk to patients. The complaint seeks unspecified damages, interest, attorneys' fees, and other costs. The Company denies any allegations of wrongdoing and intends to vigorously defend against this lawsuit. However, there is no assurance that the Company will be successful in its defense or that insurance will be available or adequate to fund any settlement or judgment or the litigation costs of this action. Moreover, the Company is unable to predict the outcome or reasonably estimate a range of possible loss at this time.

SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

ACHILLION PHARMACEUTICALS, INC.

Date: October 10, 2013

By: /s/ Mary Kay Fenton
Mary Kay Fenton

Chief Financial Officer