

Akebia Therapeutics, Inc.
Form 8-K
January 05, 2016

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)

January 4, 2016

AKEBIA THERAPEUTICS, INC.

(Exact name of registrant as specified in charter)

Delaware
(State or Other Jurisdiction

of Incorporation)

001-36352
(Commission

File Number)

20-8756903
(I.R.S. Employer

Identification No.)

Edgar Filing: Akebia Therapeutics, Inc. - Form 8-K
245 First Street, Suite 1100, Cambridge, Massachusetts 02142
(Address of Principal Executive Offices, including Zip Code)

(617) 871-2098

(Registrant's telephone number, including area code)

Not Applicable

(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:

- .. 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 1.02 Termination of a Material Definitive Agreement.

On January 4, 2016, Akebia Therapeutics, Inc. (the Company) delivered written notice to Cantor Fitzgerald & Co. (Cantor) terminating its Controlled Equity Offering Sales Agreement between the Company and Cantor dated August 11, 2015 (the Sales Agreement), effective on January 4, 2016. Prior to the termination, the Company had sold approximately \$18.8 million of the \$50 million of its common stock available to be sold pursuant to the Sales Agreement. No additional shares of the Company s common stock will be sold pursuant to the Sales Agreement.

A copy of the Sales Agreement was filed as Exhibit 1.1 to the Company s Current Report on Form 8-K filed with the Securities and Exchange Commission on August 11, 2015 (the Prior Form 8-K). The description of the Sales Agreement contained in this Current Report on Form 8-K does not purport to be complete and is qualified in its entirety by reference to the copy of the Sales Agreement filed as Exhibit 1.1 to the Prior Form 8-K.

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.

AKEBIA THERAPEUTICS, INC.

By: /s/ John P. Butler
John P. Butler

President and Chief Executive Officer

Date: January 5, 2016