

NUVELO INC
Form 8-K/A
October 28, 2008

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

FORM 8-K/A

Amendment No. 1

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the
Securities Exchange Act of 1934

Date of earliest event reported: May 1, 2008

Nuvelo, Inc.

(Exact Name of Registrant as Specified in Charter)

Delaware
(State or Other Jurisdiction)

000-22873
(Commission File Number)

36-3855489
(I.R.S. Employer)

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of Incorporation)

Identification No.)

201 Industrial Road, Suite 310, San Carlos, CA 94070-6211

(Address of Principal Executive Offices) (Zip Code)

(650) 517-8000

(Registrant's telephone number, including area code)

N/A

(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))

**ITEM 3.01 NOTICE OF DELISTING OR FAILURE TO SATISFY A CONTINUED LISTING RULE OR STANDARD;
TRANSFER OF LISTING.**

On May 2, 2008, Nuvelo, Inc. (Nuvelo or the Company) reported in a Current Report on Form 8-K (the Original Filing) that on May 1, 2008 it received a staff deficiency letter from The Nasdaq Stock Market (Nasdaq) indicating that, for the last 30 consecutive business days, the bid price for Nuvelo s common stock had closed below the minimum \$1.00 per share requirement for continued inclusion on the Nasdaq Global Market under Marketplace Rule 4450(a)(5) (the Rule). In accordance with Marketplace Rule 4450(e)(2), Nuvelo was given 180 calendar days, or until October 28, 2008, to regain compliance with the Rule. On October 16, 2008, Nasdaq announced that it had suspended the enforcement of its rules requiring a minimum bid price of \$1.00 per share through January 16, 2009, and on October 22, 2008 Nuvelo received a confirmation letter from Nasdaq informing it of the temporary suspension of the bid price rules. As a result of this suspension, Nuvelo will have until February 2, 2009, rather than October 28, 2008, as indicated in the Original Filing, to regain compliance with the Rule. If Nuvelo is unable to demonstrate compliance with the minimum bid requirement Rule, Nuvelo does not expect to receive a staff determination letter with respect to the delisting of Nuvelo common stock until after February 2, 2009.

The other disclosures made in the Original Filing are unchanged.

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.

Nuvelo, Inc.

(Registrant)

By: /s/ Lee Bendekgey
Lee Bendekgey
Senior Vice President, Chief Financial Officer and
General Counsel

Dated: October 28, 2008