

FORCE PROTECTION INC
Form 8-K
October 15, 2010

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Washington, DC 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 15, 2010**

FORCE PROTECTION, INC.

(Exact name of registrant as specified in its charter)

Nevada
(State or other jurisdiction of
incorporation)

001-33253
(Commission File Number)

84-1383888
(I.R.S. Employer Identification
No.)

1520 Old Trolley Road
Summerville, SC 29485

(Address of principal executive offices) (Zip Code)

(843) 574-7000

(Registrant's telephone number, including area code)

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**9801 Highway 79, Building No. 1
Ladson, South Carolina 29456**

(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))
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Item 7.01. Regulation FD Disclosure.

Pursuant to the Order Preliminarily Approving Settlement and Approving the Form and Manner of Notice issued by the U.S. District Court for the District of South Carolina (the Court) on October 8, 2010, the Summary Notice of Settlement of Force Protection, Inc. Derivative Litigation (Summary Notice) with respect to the consolidated shareholder derivative action entitled *In re Force Protection, Inc. Derivative Litigation*, Civil Action No. 2:08-1907-CWH, pending in the Court was released by PR Newswire on October 15, 2010 and will be published on October 18, 2010 in the Investor's Business Daily, USA Today, Charleston Post and Courier.

On October 14, 2010, Force Protection, Inc. (the Company) sent the Notice of Settlement of Force Protection, Inc. Derivative Litigation to the Company's stockholders of record as of October 4, 2010, as required by the Stipulation of Settlement. The Court has also scheduled a Settlement Hearing to be held on December 13, 2010.

The settlement is subject to further court approvals and all parties have agreed to expeditiously seek the required court approvals of the settlement. As part of the settlement, the Company has made no admission of wrongdoing.

A copy of the Summary Notice is furnished as Exhibit 99.1 to this Current Report on Form 8-K and incorporated herein by reference.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits

Exhibit	Description
99.1	Summary Notice of Settlement of Force Protection, Inc. Derivative Litigation (Civil Action No. 2:08-1907-CWH)

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.

Force Protection, Inc.
(Registrant)

Date: October 15, 2010

/s/ Lenna Ruth Macdonald
(Signature)

Name:
Title:

Lenna Ruth Macdonald
Chief Strategy Officer, General Counsel & Secretary

EXHIBIT INDEX

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