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ZOGENIX, INC. Form 8-K September 27, 2016

## **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): September 27, 2016

## **ZOGENIX, INC.**

(Exact Name of Registrant as Specified in its Charter)

Delaware (State or Other Jurisdiction **001-34962** (Commission

**20-5300780** (IRS Employer

of Incorporation)

File Number)

**Identification No.)** 

5858 Horton Street, #455, Emeryville, CA

94608

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## (Address of Principal Executive Offices) (Zip Code) Registrant s telephone number, including area code: (510) 550-8300

12400 High Bluff Drive, Suite 650, San Diego, CA 92130

(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 7.01 Regulation FD Disclosure.

Beginning on September 27, 2016, representatives of Zogenix, Inc. ( Zogenix ) will be attending meetings with investors, analysts and other parties in connection with the Ladenberg Thalmann 2016 Healthcare Conference in New York, NY. On September 28, 2016, representatives of Zogenix will also be attending meetings with investors, analysts and other parties in connection with the Leerink Rare Disease Roundtable in New York, NY. During these meetings, Zogenix will present the corporate slide presentation attached as Exhibit 99.1 to this Current Report on Form 8-K, which is incorporated herein by reference.

Zogenix s updated corporate presentation has been posted to Zogenix s website, www.zogenix.com. Zogenix plans to use its website to disseminate future updates to its corporate presentation and does not intend to file or furnish a Form 8-K alerting investors each time the presentation is updated.

The information set forth in this Item 7.01 is being furnished pursuant to Item 7.01 and shall not be deemed filed for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the Exchange Act ) or otherwise subject to the liabilities of that section, and it shall not be deemed incorporated by reference in any filing under the Securities Act of 1933, as amended, or under the Exchange Act, whether made before or after the date hereof, except as expressly provided by specific reference in such a filing.

By filing this Current Report on Form 8-K and furnishing the information in this Item 7.01, Zogenix makes no admission as to the materiality of Item 7.01 in this report or the presentation available Zogenix s website. The information contained in the presentation is summary information that is intended to be considered in the context of Zogenix s filings with the Securities and Exchange Commission (the SEC) and other public announcements that Zogenix makes, by press release or otherwise, from time to time. Zogenix undertakes no duty or obligation to publicly update or revise the information contained in this Item, although it may do so from time to time as its management believes is appropriate or as required by applicable law. Any such updating may be made through the filing of other reports or documents with the SEC, through press releases, by updating its website or through other public disclosure.

## Item 9.01. Financial Statements and Exhibits.

(d) Exhibits.

#### Exhibit

No. Description

99.1 Slide Presentation

## **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.

ZOGENIX, INC.

Date: September 27, 2016 By: /s/ Ann D. Rhoads

Name: Ann D. Rhoads

Title: Executive Vice President,

Chief Financial Officer,

Treasurer and Secretary

# EXHIBIT INDEX

# Exhibit

No. Description

99.1 Slide Presentation