

ZIOPHARM ONCOLOGY INC
Form 8-K
November 12, 2009

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): November 11, 2009

ZIOPHARM Oncology, Inc.
(Exact Name of Registrant as Specified in Charter)

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| Delaware (State or Other Jurisdiction of Incorporation) | 0-32353 (Commission File Number) | 84-1475672 (IRS Employer Identification No.) |
|---|--|--|

| | |
|---|---------------------|
| 1180 Avenue of the Americas 19th Floor New York, NY (Address of Principal Executive Offices) | 10036 (Zip Code) |
|---|---------------------|

(646) 214-0700
(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 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)).

- o Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c)).
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Item Results of Operations and Financial Condition
2.02

On November 11, 2009, ZIOPHARM Oncology, Inc. (the “Company”) issued a press release announcing its financial condition and results of operations for the third quarter of 2009. A copy of the press release is furnished as Exhibit 99.1 and is incorporated herein by reference.

The press release is furnished pursuant to Item 2.02 of this Current Report on Form 8-K and shall not be deemed “filed” for purposes of Section 18 of the Securities Exchange Act of 1934 (the “Exchange Act”) or otherwise subject to the liabilities of that Section, nor shall such document be deemed incorporated by reference in any filing under the Securities Act of 1933 or the Exchange Act.

Item Financial Statements and Exhibits
9.01

(d) Exhibits

Exhibit No.

Description

99.1

Press Release of the Company dated November 11, 2009

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.

ZIOPHARM Oncology, Inc.

Date: November 11, 2009

By: /s/ Richard Bagley
Name: Richard Bagley
Title: President, Chief Operating Officer
and Chief
Financial Officer

INDEX OF EXHIBITS

| Exhibit No. | Description |
|-------------|--|
| 99.1 | Press Release of the Company dated November 11, 2009 |