

PERRY ELLIS INTERNATIONAL INC
Form 8-K
November 02, 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): October 27, 2009

PERRY ELLIS INTERNATIONAL, INC.

(Exact name of registrant as specified in its charter)

Florida
(State or other jurisdiction

of incorporation)

0-21764
(Commission

File Number)

59-1162998
(I.R.S. Employer

Identification No.)

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3000 N.W. 107th Avenue
Miami, Florida **33172**
(Address of principal executive offices) (Zip Code)
Registrant's telephone number, including area code: (305) 592-2830

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 Securities 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 1.01 Entry into a Material Definitive Agreement

Effective October 27, 2009, Perry Ellis International, Inc. (the Company) and certain of its subsidiaries entered into an amendment (the Amendment) to its Loan and Security Agreement dated October 1, 2002, as amended (the Loan Agreement), among the Company, the subsidiaries named as borrowers or guarantors therein, the lenders named therein (the Lenders), and Wachovia Bank, National Association, as agent for the Lenders. This Amendment modified the Loan Agreement to, among other things:

Permit, subject to the conditions provided in the Loan Agreement, the sale of up to \$30 million of the Company s intellectual property assets within any 12-month period; and

Increase the permitted indebtedness of the Company s subsidiary, Perry Ellis Europe Limited, to £4,500,000 and permit such indebtedness to be secured by the subsidiary s assets and/or guaranteed by the Company.

The foregoing description is subject to the complete terms of the Amendment, which is filed as Exhibit 10.1 to this Form 8-K.

Item 9.01 Financial Statements and Exhibits.

(c) Exhibits.

10.1 Amendment No. 14 to Loan and Security Agreement dated as of October 27, 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.

PERRY ELLIS INTERNATIONAL, INC.

Date: November 2, 2009

By: /s/ CORY SHADE
Cory Shade, General Counsel

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EXHIBIT INDEX

Exhibit No.	Description
10.1	Amendment No. 14 to Loan and Security Agreement dated as of October 27, 2009