ExactTarget, Inc. Form 4 July 12, 2013

# FORM 4

#### UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

**OMB APPROVAL** OMB 3235-0287

Number:

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January 31,

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0.5

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STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF **SECURITIES** 

Form 4 or Form 5 obligations may continue. See Instruction

Check this box

if no longer

subject to

Section 16.

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

2. Issuer Name and Ticker or Trading

(Print or Type Responses)

1(b).

(City)

1. Name and Address of Reporting Person \* SALESFORCE COM INC

Symbol

5. Relationship of Reporting Person(s) to

Issuer

(First) (Middle) (Last)

(Street)

(State)

ExactTarget, Inc. [ET] 3. Date of Earliest Transaction

(Month/Day/Year)

07/10/2013

(Check all applicable)

THE LANDMARK @ ONE MARKET STREET, SUITE 300

Director X\_\_ 10% Owner Other (specify Officer (give title below)

(Zip)

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)

\_X\_ Form filed by One Reporting Person Form filed by More than One Reporting

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

SAN FRANCISCO, CA 94105

	Tuble 1 Non Bernative Securities Required, Disposed 61, or Beneficiary 6 when									
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or iorDisposed of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned Following	6. Ownership Form: Direct (D) or Indirect	7. Nature of Indirect Beneficial Ownership (Instr. 4)	
			Code V	Amount	(A) or (D)	Price	Reported Transaction(s) (Instr. 3 and 4)	(I) (Instr. 4)		
Common Stock	07/11/2013		P	66,263,833 (1)	A	\$ 33.75	66,263,833	I	By Excalibur Acquisition Corp.	
Common Stock	07/12/2013		P	7,362,648 ( <u>2)</u>	A	\$ 33.75	0	I	By Excalibur Acquisition Corp.	

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

Persons who respond to the collection of SEC 1474 information contained in this form are not (9-02)required to respond unless the form

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# displays a currently valid OMB control

# Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of	2.	3. Transaction Date	3A. Deemed	4.	5.	6. Date Exerc	cisable and	7. Titl	e and	8. Price of	٥
Derivative	Conversion	(Month/Day/Year)	Execution Date, if	TransactionNumber		Expiration Date		Amou	nt of	Derivative	J
Security	or Exercise		any	Code	of	(Month/Day/	Year)	Under	lying	Security	5
(Instr. 3)	Price of		(Month/Day/Year)	(Instr. 8)	Derivative			Securities		(Instr. 5)	]
	Derivative		•		Securities			(Instr.	r. 3 and 4)		(
	Security				Acquired			`			]
	J				(A) or						]
					Disposed						-
					of (D)						(
					(Instr. 3,						
					4, and 5)						
					.,						
									Amount		
						Date	Expiration		or		
							Date	Title	Number		
									of		
				Code V	(A) (D)				Shares		

## **Reporting Owners**

#### Relationships

SALESFORCE COM INC THE LANDMARK @ ONE MARKET STREET SUITE 300 SAN FRANCISCO, CA 94105

X

## **Signatures**

/s/ Burke F. Norton Executive Vice President and Chief Legal Officer, on behalf of salesforce.com, inc.

07/12/2013

9. Nu Deriv Secur Bene Own Follo Repo Trans (Instr

\*\*Signature of Reporting Person

Date

## **Explanation of Responses:**

- \* If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
  - On July 11, 2013, in accordance with the Acquisition Agreement by and among salesforce.com, inc. ("salesforce.com"), Excalibur Acquisition Corp, a wholly owned subsidiary of salesforce.com ("Purchaser"), and the Issuer, Purchaser accepted for payment a total of
- (1) 64,267,881 shares of common stock of the Issuer ("Shares") that were validly tendered and not validly withdrawn in connection with Purchaser's tender offer to acquire all of the outstanding Shares of the Issuer, and subsequently exercised its option to purchase 1,995,952 additional shares from the Issuer, resulting in Purchaser owning one Share more than 90% of the Shares of the Issuer then outstanding.
- On July 12, 2013, Purchaser merged with and into the Issuer (the "Merger") under the short-form merger provisions of the General (2) Corporation Law of the State of Delaware. At the effective time of the Merger, each outstanding Share owned by salesforce.com or Purchaser was automatically cancelled and retired in accordance with the Acquisition Agreement.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.

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