CANCERVAX CORP Form 8-K October 04, 2005

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# 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 3, 2005 CANCERVAX CORPORATION

(Exact Name of Registrant as Specified in its Charter)

Delaware 0-50440 52-2243564

(State or Other Jurisdiction of Incorporation)

(Commission File Number)

(IRS Employer Identification No.)

2110 Rutherford Road, Carlsbad, CA

92008

(Address of Principal Executive Offices)

(Zip Code)

Registrant s telephone number, including area code: (760) 494-4200

(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):

- o Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- o Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- o 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 8.01. Other Events.

Item 9.01. Financial Statements and Exhibits.

**SIGNATURES** 

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**EXHIBIT 99.1** 

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#### Item 8.01. Other Events.

CancerVax Corporation announced a corporate restructuring plan yesterday, realigning its resources in light of its decision to discontinue the Phase 3 clinical trial of Canvaxin<sup>TM</sup> in patients with Stage III melanoma. The press release announcing this restructuring plan is attached hereto as Exhibit 99.1 and is incorporated herein by reference.

#### Item 9.01. Financial Statements and Exhibits.

(c) Exhibits.

**Exhibit No.** Description

99.1 Press release dated October 3, 2005.

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#### **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.

#### **CANCERVAX CORPORATION**

Date: October 4, 2005 By: /s/ David F. Hale

Name: David F. Hale

Title: President and Chief Executive

Officer

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#### **EXHIBIT INDEX**

**Exhibit** 

No. Description

99.1 Press release, dated October 3, 2005.