#### SABA SOFTWARE INC

Form 4 March 30, 2007

## FORM 4

# UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

Check this box if no longer subject to Section 16. Form 4 or

Form 5 obligations

may continue. See Instruction 1(b).

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

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

(Print or Type Responses)

1. Name and Address of Reporting Person \*

PEQUOT CAPITAL MANAGEMENT INC

> (First) (Last)

(Middle)

(Zip)

Execution Date, if

(Month/Day/Year)

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

2. Transaction Date 2A. Deemed

(Street)

(State)

(Month/Day/Year)

500 NYALA FARM ROAD

WESTPORT, CT 06880

(City)

1.Title of

Security

(Instr. 3)

2. Issuer Name and Ticker or Trading

Symbol

SABA SOFTWARE INC [SABA]

3. Date of Earliest Transaction (Month/Day/Year) 03/28/2007

4. If Amendment, Date Original

Filed(Month/Day/Year)

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

3.

4. Securities TransactionAcquired (A) or Code

Disposed of (D) (Instr. 3, 4 and 5) (Instr. 8)

(A)

Transaction(s) (Instr. 3 and 4) Code V Amount (D) Price

Persons who respond to the collection of

information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

1. Title of Derivative Conversion

or Exercise

Security

3. Transaction Date 3A. Deemed (Month/Day/Year) Execution Date, if

any

4. 5. Number of **Transaction**Derivative Securities Code

6. Date Exercisable and **Expiration Date** (Month/Day/Year)

**OMB APPROVAL** 

**OMB** 3235-0287 Number:

January 31, Expires: 2005

Estimated average burden hours per response...

5. Relationship of Reporting Person(s) to

6. Individual or Joint/Group Filing(Check

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

6. Ownership

Form: Direct

(I)

(Instr. 4)

(D) or Indirect Beneficial

(Check all applicable)

below) See Footnote 1

Issuer

below)

Person

5. Amount of

Securities

Owned

Beneficially

Following

Reported

Director

Applicable Line)

Officer (give title

0.5

10% Owner \_X\_ Other (specify

7. Nature of

Ownership

(Instr. 4)

SEC 1474

(9-02)

Indirect

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

> 7. Title and Am Underlying Secu (Instr. 3 and 4)

> > 1

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Price of (Instr. 3) (Month/Day/Year) (Instr. 8) Acquired (A) Derivative or Disposed of (D) Security (Instr. 3, 4, and 5) Code V (A) (D) Date **Expiration Date** Title A Exercisable or **Stock Option** 10,000 Common (3) 03/28/2013(3) \$ 6.3 03/28/2007 A (Right-to-buy) (2)(3)Stock

### **Reporting Owners**

Reporting Owner Name / Address

Director 10% Owner Officer Other

PEQUOT CAPITAL MANAGEMENT INC 500 NYALA FARM ROAD WESTPORT, CT 06880

LENIHAN LAWRENCE D JR 500 NYALA FARM ROAD X WESTPORT, CT 06880

## **Signatures**

Aryeh Davis, GC & Secretary, Pequot Capital

Management, Inc.

\*\*Signature of Reporting Person

Date

Lawrence D. Lenihan, Jr., Director (1)

\*\*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).

Pequot Capital Management, Inc. ("Pequot") is an investment advisor registered under Section 203 of the Investment Advisers Act of

- 1940 and has voting and investment power with respect to securities in its clients' accounts. Pequot disclaims any obligation to file this report, and this report shall not be deemed an admission that Pequot is subject to Section 16 with respect to the Issuer of such securities. Lawrence D. Lenihan, Jr. is an employee of Pequot and serves on the Board of Directors of the Issuer and disclaims beneficial ownership of these securities except to the extent of his pecuniary interest.
- (2) Pequot disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that Pequot is, for the purposes of Section 16 of the Exchange Act or otherwise, the beneficial owner of such securities.
- Lawrence D. Lenihan, Jr. received an option to purchase 10,000 shares of Common Stock of the Issuer (the "Option") as compensation for his service as a director on the Board of Directors of the Issuer. The Option vests monthly over the course of four years beginning December 28, 2006 and is exercisable into Common Stock at an exercise price of \$6.30 per share. The expiration of the Option is March 28, 2013.

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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