

MAXIMUS INC  
Form 8-K/A  
November 13, 2009

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

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**FORM 8-K/A**

**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934**

Date of Report: **November 12, 2009**

Date of Earliest Event Reported: **November 12, 2009**

**MAXIMUS, INC.**

(Exact name of registrant as specified in its charter)

**Virginia**  
(State or other jurisdiction  
of incorporation)

**1-12997**  
(Commission  
File Number)

**54-100588**  
(I.R.S. Employer  
Identification No.)

**11419 Sunset Hills Road,**  
**Reston, Virginia**  
(Address of principal executive offices)

**20190-5207**  
(Zip Code)

Registrant's telephone number, including area code: **(703) 251-8500**

**Not Applicable**

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(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:

- 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))
  
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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Explanatory Note

On November 12, 2009, the Company Filed a Current Report on Form 8-K. This Current Report on Form 8-K/A amends the information provided in Item 8.01 of the original Form 8-K solely to correct a clerical error in the Condensed Consolidated Statements of Cash Flows. Specifically the line item cash provided by (used in) operating activities - continuing operations for the quarter ended December 31, 2008 was changed from 28,128 to (28,128) to correct for the inadvertent omission of brackets in the original filing.

**Item 8.01 Other Events.**

On November 12, 2009, the Company announced, with its earnings release, its decision to sell its ERP division, which had previously been part of the Company's Consulting segment. Beginning in the fourth quarter of fiscal 2009, the Company will classify the results of operations of the ERP division as discontinued operations. As a result of this transaction, the Company has recorded a charge of \$1.3 million relating to the write-down of the long-term fixed assets and goodwill of this division.

We are filing this Current Report on Form 8-K on November 12, 2009 to reclassify prior periods' financial information to conform to discontinued operations reporting. The reclassifications have no impact on the previously reported consolidated net income or cash flows of the Company. This information is being provided for informational purposes only.

The Company reports its financial results in accordance with generally accepted accounting principles (GAAP). However, the Company uses certain non-GAAP performance measures including pro forma income before income taxes from continuing operations and pro forma diluted earnings per share from continuing operations to provide both management and investors a more complete understanding of the Company's underlying operational trends and results. The non-GAAP performance measures are reconciled to the corresponding GAAP measures in the schedule titled Supplemental Pro Forma Income before Income Taxes and Diluted Earnings per Share from Continuing Operations.

**SIGNATURES**



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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.

MAXIMUS, Inc.

Date: November 12, 2009

By:

/s/ David R. Francis  
David R. Francis  
General Counsel and Secretary

## MAXIMUS, Inc.

## CONDENSED CONSOLIDATED STATEMENTS OF OPERATIONS

(Dollars in thousands, except per share data)

(Unaudited)

	Dec. 31, 2007	Quarter Ended		Sept. 30, 2008	Year Ended Sept. 30, 2008	Dec. 31, 2008	Quarter Ended		Sept. 30, 2009	Year Ended Sept. 30, 2009
		Mar. 31, 2008	Jun. 30, 2008				Mar. 31, 2009	Jun. 30, 2009		
Revenue	\$ 164,121	\$ 176,324	\$ 175,750	\$ 177,468	\$ 693,663	\$ 169,710	\$ 177,158	\$ 176,393	\$ 194,038	\$ 717,299
Cost of revenue	121,632	128,578	126,576	127,855	504,641	122,806	130,624	128,041	143,561	525,032
Gross profit	42,489	47,746	49,174	49,613	189,022	46,904	46,534	48,352	50,477	192,267
Selling, general and administrative expenses	24,914	26,885	27,018	29,169	107,986	26,414	26,714	27,017	26,578	106,723
Gain on sale of building			3,938		3,938					
Legal and settlement expense (recovery), net		931	700	36,727	38,358		368	(4,829)	190	(4,271)
Income (loss) from operations	17,575	19,930	25,394	(16,283)	46,616	20,490	19,452	26,164	23,709	89,815
Interest and other income, net	1,501	107	490	325	2,423	94	35	129	(113)	145
Income (loss) before income taxes	19,076	20,037	25,884	(15,958)	49,039	20,584	19,487	26,293	23,596	89,960
Provision (benefit) for income taxes	7,819	7,904	9,606	(6,108)	19,221	8,131	7,697	10,386	9,163	35,377
Income (loss) from continuing operations	11,257	12,133	16,278	(9,850)	29,818	12,453	11,790	15,907	14,433	54,583
Discontinued operations, net of income taxes:										
Loss from discontinued operations	(652)	(2,506)	(6,599)	(7,749)	(17,506)	(485)	(763)	(924)	(4,304)	(6,476)
Gain (loss) on disposal										