

MTS SYSTEMS CORP
Form 8-K
July 27, 2010

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): July 23, 2010

MTS SYSTEMS CORPORATION
(EXACT NAME OF REGISTRANT AS SPECIFIED IN ITS CHARTER)

MINNESOTA
(STATE OR
OTHER JURISDICTION
OF INCORPORATION)

0-2382
(COMMISSION FILE NUMBER)

41-0908057
(I.R.S. EMPLOYER
IDENTIFICATION NO.)

1400 TECHNOLOGY DRIVE, EDEN PRAIRIE, MN 55344
(ADDRESS OF PRINCIPAL EXECUTIVE OFFICES) (ZIP CODE)

(952) 937-4000
(REGISTRANT'S TELEPHONE NUMBER, INCLUDING AREA CODE)

N/A
(FORMER NAME OR FORMER ADDRESS, IF CHANGED SINCE LAST REPORT)

Check the appropriate box below if the Form 8-K is intended to simultaneously satisfy the filing obligations 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-4c))

Item 1.01 – Entry into a Material Definitive Agreement.

MTS Systems Corporation (the “Company”) entered into a Settlement Agreement dated July 23, 2010 (the “Agreement”) with Hysitron Incorporated (“Hysitron”). The Agreement provides for a dismissal of all claims and counterclaims in the lawsuit pending before the U.S. District Court for the District of Minnesota as Hysitron Incorporated v. MTS Systems Corporation, Case No. 0:07-cv-01533-ADM-AJB. Pursuant to the Agreement the Company agreed to pay Hysitron \$7,500,000 within 14 days of July 23, and neither party admitted any liability or wrongdoing. A copy of the Agreement is filed with this form 8-K as Exhibit 10.1 and the foregoing description is qualified in its entirety by reference thereto.

Item 2.02. Results of Operations and Financial Condition

On July 27, 2010, the registrant issued a press release regarding the registrant’s results of operations for the third quarter ended July 3, 2010. The full text of the press release is furnished as Exhibit 99.1 to this Form 8-K.

The information provided pursuant to this Item 2.02 of this current report, including the information contained in Exhibit 99.1 is being furnished pursuant to such Item and shall not be deemed to be “filed” for the purpose of Section 18 of the Securities Exchange Act of 1934, as amended, or otherwise subject to the liabilities of that Section.

Item 9.01. Financial Statements and Exhibits

(d) Exhibits

Exhibit 10.1 – Settlement Agreement dated July 23, 2010.

Exhibit 99.1 – Press Release issued on July 27, 2010.

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.

MTS SYSTEMS CORPORATION
(Registrant)

Date: July 27, 2010

By:

/s/ SUSAN E. KNIGHT
Susan E. Knight
Vice President and Chief Financial Officer

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INDEX TO EXHIBITS

Exhibit No.	Description
<u>10.1</u>	Settlement Agreement dated July 23, 2010
<u>99.1</u>	Press Release issued on July 27, 2010.
