

KYLE REX W  
Form 4  
May 04, 2010

**FORM 4**

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

OMB APPROVAL

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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 \*  
KYLE REX W

2. Issuer Name and Ticker or Trading Symbol  
BANK OF THE OZARKS INC  
[OZRK]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

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

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

President - Trust Division

17901 CHENAL PARKWAY, P.O. BOX 8811

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 Person

(Street)

LITTLE ROCK, AR 72231

(City) (State) (Zip)

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

| 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 Disposed of (D) (Instr. 3, 4 and 5) | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Ownership (Instr. 4) |
|--------------------------------------|--------------------------------------|--|--------------------------------|---|---|--|-----------------------------------|
|                                      |                                      |  | Code                           | V   | Amount (D) or Price (A)   |  |                                   |
| Employee Stock Option (Right to Buy) | 05/03/2010                           |  | M                              |   | 1,200 A \$ 28.63  | 2,000  | D                                 |
| Employee Stock Option (Right to Buy) | 05/03/2010                           |  | M                              |   | 1,500 A \$ 32.055   | 3,500  | D                                 |
|                                      | 05/03/2010                           |  | S                              |   | 2,700 D   | 800  | D                                 |

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|              |        |     |  |   |  |  |                                     |
|--------------|--------|-----|--|---|--|--|-------------------------------------|
| Common Stock | \$     |     |  |   |  |  |                                     |
|              | 39.119 |     |  |   |  |  |                                     |
| Common Stock |        | 532 |  | I |  |  | Shares held in 401(k) at 05/03/2010 |

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

**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.**

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(9-02)

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

| 1. Title of Derivative Security (Instr. 3) | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | 5. Number of Derivative Securities (A) or Disposed of (D) (Instr. 3, 4, and 5) | 6. Date Exercisable and Expiration Date (Month/Day/Year) | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) | Amount or Number of Shares |
|--|--|--------------------------------------|--|--------------------------------|--|--|---|----------------------------|
|  |  |                                      |  | Code V (A) (D)                 |  | Date Exercisable Expiration Date                         | Title   |                            |
| Employee Stock Option (Right to Buy)       | \$ 28.63   | 05/03/2010                           |  | M                              | 1,200  | 09/28/2007 09/28/2011                                    | Common Stock  | 1,200                      |
| Stock Option (Right to Buy)                | \$ 32.055  | 05/03/2010                           |  | M                              | 1,500  | 10/17/2009 10/17/2013                                    | Common Stock  | 1,500                      |

## Reporting Owners

| Reporting Owner Name / Address   | Relationships                    |
|--|----------------------------------|
|  | Director 10% Owner Officer Other |
| KYLE REX W<br>17901 CHENAL PARKWAY<br>P.O. BOX 8811<br>LITTLE ROCK, AR 72231 | President - Trust Division       |

## Signatures

/s/ Rex W. Kyle

05/04/2010

\*\*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).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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