

DIEBOLD INC

Form 8-K

March 27, 2013

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): March 21, 2013

Diebold, Incorporated

(Exact name of registrant as specified in its charter)

Ohio

1-4879

34-0183970

(State or other jurisdiction

(Commission

(I.R.S. Employer

of incorporation)

File Number)

Identification No.)

5995 Mayfair Road, P.O. Box 3077,

44720-8077

North Canton, Ohio

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code: (330) 490-4000

Not Applicable

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))

Item 5.02 Departure of Directors or Certain Officers; Election of Directors;  
Appointment of Certain Officers; Compensatory Arrangements of Certain Officers

As previously announced, effective as of January 19, 2013, Thomas W. Swidarski stepped down as the Chief Executive Officer, and resigned from the Board of Directors, of Diebold, Incorporated (the “Company”). On March 21, 2013, Mr. Swidarski executed a general release of claims in favor of the Company, pursuant to which he and the Company acknowledged and agreed that Mr. Swidarski is entitled to receive the severance benefits under the Company’s Senior Leadership Severance Plan (the “Plan”) for a “Qualifying Termination” (as defined in the Plan) for a Tier I Executive (as defined in the Plan), and other benefits under his employment agreement with the Company.

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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.

Diebold, Incorporated

March 27, 2013

By:

/s/ Chad F. Hesse

Name: Chad F. Hesse

Title: Vice President, General Counsel and  
Secretary