

NovaBay Pharmaceuticals, Inc.  
Form 8-K/A  
May 16, 2008

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

Washington, D.C. 20549

**FORM 8-K/A**

**(Amendment No. 1)**

**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of the**

**Securities Exchange Act of 1934**

**Date of Report (Date of earliest event reported) May 14, 2008**

**NovaBay Pharmaceuticals, Inc.**

**(Exact name of registrant as specified in its charter)**

**California**  
**(State or other jurisdiction**

**of incorporation)**

**001-33678**  
**(Commission**

**File Number)**

**68-0454536**  
**(IRS Employer**

**Identification No.)**

**5980 Horton Street, Suite 550, Emeryville, CA**  
**(Address of principal executive offices)**

**Registrant's telephone number, including area code (510) 899-8800**

**94608**  
**(Zip Code)**

**Not Applicable**

## Edgar Filing: NovaBay Pharmaceuticals, Inc. - Form 8-K/A

(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))

**Explanatory Note**

NovaBay Pharmaceuticals, Inc. (the Company) hereby amends and supplements its Current Report on Form 8-K dated and filed on May 14, 2008 (the Form 8-K) as set forth in this Current Report on Form 8-K/A (the Form 8-K/A). The Form 8-K was filed to report, among other things, the announcement of the Company's financial results for the quarter ended March 31, 2008. This Form 8-K/A is being filed solely to correct a typographical error regarding the Company's unaudited net loss per share and shares used in per share calculations for the three month period ended March 31, 2007 as set forth in Exhibit 99.1 to the Form 8-K. Except as described herein, the information contained in the Form 8-K has not been updated or amended.

**Item 2.02. Results of Operations and Financial Condition.**

On May 14, 2008, NovaBay Pharmaceuticals, Inc. issued a press release announcing its financial results for the quarter ended March 31, 2008. A copy of the press release is attached as Exhibit No. 99.1 to this report.

The information contained in this report, including the exhibit attached hereto, is being furnished to the Securities and Exchange Commission and shall not be deemed filed for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the Exchange Act), or otherwise subject to the liability of that section, or incorporated by reference in any filing under the Exchange Act or the Securities Act of 1933, as amended, except as shall be expressly set forth by specific reference in any such filing.

**Item 9.01. Financial Statements and Exhibits.**

(d) Exhibits.

<b>Exhibit No.</b>	<b>Description</b>
99.1	Press Release, dated May 14, 2008, of NovaBay Pharmaceuticals, Inc.

**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.

Dated: May 16, 2008

NOVABAY PHARMACEUTICALS, INC.

By: /s/ THOMAS J. PAULSON  
Thomas J. Paulson  
Chief Financial Officer and Treasurer

**EXHIBIT INDEX**

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