

NEWMONT MINING CORP /DE/
Form 4
March 01, 2013

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 *
HUSPENI JEFFREY R

(Last) (First) (Middle)

6363 SOUTH FIDDLERS GREEN CIRCLE

(Street)

GREENWOOD VILLAGE, CO 80111

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol
NEWMONT MINING CORP /DE/ [NEM]

3. Date of Earliest Transaction (Month/Day/Year)
02/27/2013

4. If Amendment, Date Original Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

Director 10% Owner
 Officer (give title below) Other (specify below)
SVP, Asia Pacific

6. Individual or Joint/Group Filing(Check Applicable Line)
 Form filed by One Reporting Person
 Form filed by More than One Reporting Person

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)
				(A) or (D)	Price		
Common Stock, \$1.60 par value	02/27/2013		M	6,250	A \$ 28.11	46,670	D
Common Stock, \$1.60 par value	02/27/2013		S	6,250	D \$ 40.9433 <u>(1)</u>	40,420	D
Common Stock,	02/27/2013		A	5,408	A \$ 0	45,828	D

\$1.60 par value								
Common Stock, \$1.60 par value	02/27/2013	S	619 ⁽²⁾	D	\$ 40.5301	45,209	D	
Common Stock, \$1.60 par value	02/28/2013	S	452 ⁽²⁾	D	\$ 40.0403	44,757	D	
Common Stock, \$1.60 par value						826 ⁽³⁾	I	By 401(k) Plan

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

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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 Acquired (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)	8. Amount or Number of Shares
Employee Stock Option (right to buy)	\$ 28.11	02/27/2013		M	6,250	⁽⁴⁾ 05/06/2013	Common Stock	6,250

Reporting Owners

Reporting Owner Name / Address

Relationships

Director 10% Owner Officer Other

HUSPENI JEFFREY R
6363 SOUTH FIDDLERS GREEN CIRCLE
GREENWOOD VILLAGE, CO 80111

SVP, Asia Pacific

Signatures

Logan H. Hennessey, Assistant Secretary, as
attornery-in-fact

03/01/2013

__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).

- This transaction was executed in multiple trades at prices of \$40.935 to \$40.96. The price reported above reflects the weighted average
- (1) sale price. The reporting person undertakes to provide (upon request by the SEC staff, the issuer, or a security holder of the issuer) full information regarding the number of shares sold at each separate price).
 - (2) The sale reported in this Form 4 was effected pursuant to a Rule 10b5-1 trading plan adopted by the reporting person solely to cover taxes and fees.
 - (3) As of February 28, 2013, the reporting person held 826 shares of Newmont Mining common stock in his 401(k) Plan.
 - (4) The options vested in three equal annual installments on May 6, 2004, 2005 and 2006.

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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