

Edgar Filing: ENCORE ACQUISITION CO - Form 8-K

ENCORE ACQUISITION CO  
Form 8-K  
December 03, 2003

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): December 2, 2003

ENCORE ACQUISITION COMPANY  
(Exact name of registrant as specified in its charter)

DELAWARE (State or other jurisdiction of incorporation)	001-16295 (Commission File Number)	75-2759650 (IRS Employer Identification No.)
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777 MAIN STREET, SUITE 1400, FORT WORTH, TEXAS (Address of principal executive offices)	76102 (Zip Code)
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Registrant's telephone number, including area code: (817) 877-9955

Item 7. Financial Statements and Exhibits

(c) Exhibits

99.1 Press Release dated December 2, 2003

Item 9. Regulation FD Disclosure

On December 2, 2003, Encore Acquisition Company (the "Company") announced that it completed the sale of 1,060,000 shares of its common stock, at a price of \$20.25 per share to the public, in connection with the underwriters' over-allotment option granted by Encore in connection with the public offering of its common stock previously announced on November 10, 2003.

Net proceeds from the exercise of the over-allotment option were approximately \$20.6 million, after deducting underwriting discounts and commissions of the offering. Encore used all of the net proceeds to repurchase 866,643 shares of Encore common stock from J.P. Morgan Partners (SBIC), LLC and 193,357 shares of Encore common stock from Warburg, Pincus Equity Partners L.P. The 1,060,000 shares were purchased by Encore at a price of \$19.3775 per share and were retired upon repurchase. After giving effect to the repurchase, J.P. Morgan Partners (SBIC), LLC no longer beneficially owns any of Encore's common stock and Warburg, Pincus Equity Partners L.P. beneficially owns 24.5% of Encore's common stock.

The press release and the above information are being furnished under Item 9 and shall not be deemed to be "filed" for the purposes of Section 18 of the Securities Exchange Act of 1934 (the "Exchange Act") or otherwise subject to the liabilities of that section, nor shall it be incorporated by reference into a filing under the Securities Act of 1933, or the Exchange Act, except as shall

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be expressly set forth by specific reference in such a filing. The furnishing of the information in this report is not intended to, and does not, constitute a determination or admission by the Company that the information in this report is material or complete, or that investors should consider this information before making an investment decision with respect to any security of the Company.

### 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 thereunto duly authorized.

ENCORE ACQUISITION COMPANY

Date: December 2, 2003

By: /s/ Roy W. Jageman

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Roy W. Jageman  
Executive Vice President,  
Chief Financial Officer and Treasurer