

OVERSTOCK COM INC  
Form 8-K  
June 10, 2004

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**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

**June 9, 2004**

Date of Report (date of earliest event reported)

**Overstock.com, Inc.**

(Exact name of Registrant as specified in its charter)

**Delaware**  
(State or other jurisdiction of  
incorporation or organization)

**000-49799**  
(Commission  
File Number)

**87-0634302**  
(I.R.S. Employer  
Identification Number)

**6322 South 3000 East, Suite 100  
Salt Lake City, Utah 84121**

(Address of principal executive offices)

**(801) 947-3100**

(Registrant's telephone number, including area code)

(Former name or former address, if changed since last report)

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**Item 7. Exhibits.**

(c) Exhibits

99.1 Press Release dated June 9, 2004

**Item 9. Regulation FD Disclosure.**

On June 9, 2004, Overstock.com, Inc. (the "Company") issued a press release announcing that the underwriters of the Company's recent underwritten registered public offering of 1,200,000 shares of its common stock had exercised their over-allotment option to purchase an

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additional 100,000 shares of common stock from the Company. The text of the press release is included as an exhibit to this Current Report on Form 8-K.

Neither the filing of any press release as an exhibit to this Current Report on Form 8-K nor the inclusion in such press release of a reference to the Company's Internet address shall, under any circumstances, be deemed to incorporate the information available at such Internet address into this Current Report on Form 8-K. The information available at the Company's Internet address is not part of this Current Report on Form 8-K or any other report filed by the Company with the Securities and Exchange Commission.

### SIGNATURE

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.

OVERSTOCK.COM, INC.

By: /s/ DAVID K. CHIDESTER

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David K. Chidester  
Vice President, Finance

Date: June 9, 2004

### EXHIBIT INDEX

<b>Exhibit Number</b>	<b>Description</b>
(c)	Exhibits
99.1	Press Release dated June 9, 2004.

### QuickLinks

[Item 7. Exhibits.](#)

[Item 9. Regulation FD Disclosure.](#)

[SIGNATURE](#)

[EXHIBIT INDEX](#)