

ALLERGAN INC
Form 8-K
September 07, 2010

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

September 3, 2010

Date of Report (Date of Earliest Event Reported)

ALLERGAN, INC.

(Exact Name of Registrant as Specified in its Charter)

Delaware
(State of Incorporation)

1-10269
(Commission File Number)

95-1622442
(IRS Employer

Identification Number)

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2525 Dupont Drive

Irvine, California 92612

(Address of Principal Executive Offices) (Zip Code)

(714) 246-4500

(Registrant's Telephone Number, Including Area Code)

N/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))

Item 8.01. Other Events.

On September 1, 2010, Allergan, Inc. (the Company) announced that it reached a resolution (the Settlement) with the United States Department of Justice regarding the previously reported government investigation into the Company s past U.S. sales and marketing practices relating to certain therapeutic uses of *Botox*[®]. For further information regarding the Settlement and related matters, see the Company s Current Report on Form 8-K filed on September 1, 2010. Subsequently, on September 3, 2010, a stockholder s derivative action was filed in the Delaware Chancery Court against the Company s Board of Directors (the Board) and nominally, against the Company, alleging breaches of fiduciary duties by the Board and seeking to shift the costs of the Settlement, together with other costs and expenses, to the Board. The Company is investigating the action and expects to contest it vigorously.

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.

ALLERGAN, INC.

Date: September 7, 2010

By: /s/ Matthew J. Maletta

Name: Matthew J. Maletta

Title: Vice President, Associate General Counsel and Secretary