

CHOLESTECH CORPORATION  
Form 8-K  
January 25, 2007

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

Washington, DC 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)

**January 25, 2007**

---

**Cholestech Corporation**

(Exact name of registrant as specified in its charter)

**California**  
(State or other jurisdiction of  
incorporation)

**000-20198**  
(Commission File Number)

**94-3065493**  
(IRS Employer  
Identification No.)

**3347 Investment Boulevard**

**Hayward, California 94545**

(Address of principal executive offices, including zip code)

**(510) 732-7200**

(Registrant's telephone number, including area code)

(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 (see General Instruction A.2. below):

Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

Edgar Filing: CHOLESTECH CORPORATION - Form 8-K

- o Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - o Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - o Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
-

**Section 3 Securities and Trading Markets**

**Item 3.03. Material Modification to Rights of Security Holders.**

On January 19, 2007, Cholestech Corporation (the Company ) and Computershare Investor Services LLC (the Rights Agent ) entered into an Amendment to the Amended and Restated Preferred Share Rights Agreement (the Amendment ) amending the Amended and Restated Preferred Share Rights Agreement dated January 1, 2005 (the Rights Agreement ). The Amendment to the Rights Agreement (i) extends the term of the Rights Agreement such that final expiration date of the Rights Agreement is January 22, 2017, (ii) amends the exercise price of a right to purchase one-one thousandth of a share of the Company s Series A Participating Preferred Stock to \$95.00 per one-one thousandth of a share, and (iii) makes conforming changes related to the amendment to the exercise price and certain other clarifying changes.

The foregoing description of the Amendment is a general description only and is qualified in its entirety by reference to the Amendment and Rights Agreement. Copies of the Rights Agreement and Amendment are attached hereto as Exhibits 4.1 and 4.2, respectively, and are incorporated herein by reference. The summary of the principal terms of the Rights Agreement is otherwise unchanged from that set forth in the Company s Form 8-A filed with the Securities and Exchange Commission on January 27, 1997 and the Company s Form 8-A/A filed with the Securities and Exchange Commission on January 5, 2005, and are incorporated herein by reference..

**Section 9 Financial Statements and Exhibits**

**Item 9.01 Financial Statements and Exhibits**

**(d) Exhibits**

**Exhibit**

<b>Number</b>	<b>Description</b>
4.1	Amended and Restated Preferred Share Rights Agreement dated as of January 1, 2005, between Cholestech Corporation and Computershare Investor Services LLC, including the Certificate of Determination, the form of Rights Certificate and the Summary of Rights attached thereto as Exhibits A, B, and C, respectively.(1)
4.2	Amendment to the Amended and Restated Preferred Share Rights Agreement between Cholestech Corporation and Computershare Investor Services LLC dated as of January 19, 2007.(2)

---

(1) Incorporated by reference to Registrant s Form 8-K filed with the Securities and Exchange Commission on January 5, 2005

(2) Incorporated by reference to Registrant s Form 8-A/A filed with the Securities and Exchange Commission on January 25, 2007

**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.

**CHOLESTECH CORPORATION**

By: /s/ John F. Glenn  
John F. Glenn  
Vice President of Finance and Chief Financial Officer

Date: January 25, 2007

3

---

**EXHIBIT INDEX**

<b>Exhibit Number</b>	<b>Description</b>
4.1	Amended and Restated Preferred Share Rights Agreement dated as of January 1, 2005, between Cholestech Corporation and Computershare Investor Services LLC, including the Certificate of Determination, the form of Rights Certificate and the Summary of Rights attached thereto as Exhibits A, B, and C, respectively.(1)
4.2	Amendment to the Amended and Restated Preferred Share Rights Agreement between Cholestech Corporation and Computershare Investor Services LLC dated as of January 25, 2007.(2)

---

(1) Incorporated by reference to Registrant's Form 8-K filed with the Securities and Exchange Commission on January 5, 2005

(2) Incorporated by reference to Registrant's Form 8-A/A filed with the Securities and Exchange Commission on January 25, 2007

4

---