

HARBERT RAYMOND J
 Form 4
 March 06, 2009

FORM 4

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION
 Washington, D.C. 20549**

OMB APPROVAL

OMB Number: 3235-0287
 Expires: January 31, 2005
 Estimated average burden hours per response... 0.5

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 *
HARBERT MANAGEMENT CORP

2. Issuer Name and Ticker or Trading Symbol
NEW YORK TIMES CO [NYT]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)
 2100 THIRD AVENUE
 NORTH, SUITE 600
 (Street)

3. Date of Earliest Transaction (Month/Day/Year)
 03/04/2009

___ Director ___X___ 10% Owner
 ___ Officer (give title below) ___X___ Other (specify below)
 * See Remarks

BIRMINGHAM, AL 35203

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

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

(City) (State) (Zip)

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 Indirect Beneficial Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|
| Common Stock | 03/04/2009 | | J(1) | V Amount 28,538,434 (1) | (A) or (D) Price (1) 0 (1) | I | Footnote (1) |

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

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

SEC 1474 (9-02)

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

Edgar Filing: HARBERT RAYMOND J - Form 4

| 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. Price of Derivative Security (Instr. 5) | | |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--|----------------------------|--------------|
| | | | | Code | V (A) (D) | Date Exercisable | Expiration Date | Title | Amount or Number of Shares | |
| Equity Swap | (1) | 01/17/2008 | | J(1) | 0 (1) | (1) (1) | (1) (1) | Class A Common Stock | 229,545 | \$ 15.304 |
| Equity Swap | (1) | 01/28/2008 | | J(1) | 0 (1) | (1) (1) | (1) (1) | Class A Common Stock | 450,000 | \$ 15.848 |
| Equity Swap | (1) | 01/29/2008 | | J(1) | 0 (1) | (1) (1) | (1) (1) | Class A Common Stock | 585,720 | \$ 15.961 |
| Equity Swap | (1) | 08/05/2008 | | J(1) | 0 (1) | (1) (1) | (1) (1) | Class A Common Stock | 150,000 | \$ 13.39 |
| Equity Swap | (1) | 08/08/2008 | | J(1) | 0 (1) | (1) (1) | (1) (1) | Class A Common Stock | 66,000 | \$ 13.439 |
| Equity Swap | (1) | 08/11/2008 | | J(1) | 0 (1) | (1) (1) | (1) (1) | Class A Common Stock | 99,000 | \$ 13.9 |
| Equity Swap | (1) | 08/12/2008 | | J(1) | 0 (1) | (1) (1) | (1) (1) | Class A Common Stock | 117,000 | \$ 13.542 |
| Equity Swap | (1) | 08/13/2008 | | J(1) | 0 (1) | (1) (1) | (1) (1) | Class A Common Stock | 142,200 | \$ 12.75 |
| Equity Swap | (1) | 08/14/2008 | | J(1) | 0 (1) | (1) (1) | (1) (1) | Class A Common Stock | 187,570 | \$ 13.111 |
| Equity Swap | (1) | 08/15/2008 | | J(1) | 0 (1) | (1) (1) | (1) (1) | Class A Common Stock | 120,000 | \$ 13.851 |
| Equity Swap | (1) | 08/18/2008 | | J(1) | 0 (1) | (1) (1) | (1) (1) | Class A Common Stock | 99,600 | \$ 13.83 |

| | | | | | | | | | |
|-------------|------------|------------|-------------|------------------------|------------|------------|----------------------------|---------|--------------|
| Equity Swap | <u>(1)</u> | 08/19/2008 | <u>J(1)</u> | <u>0</u> <u>(1)</u> | <u>(1)</u> | <u>(1)</u> | Class A Common Stock | 93,000 | \$ 13.48 |
| Equity Swap | <u>(1)</u> | 08/20/2008 | <u>J(1)</u> | <u>0</u> <u>(1)</u> | <u>(1)</u> | <u>(1)</u> | Class A Common Stock | 33,000 | \$ 12.8 |
| Equity Swap | <u>(1)</u> | 08/20/2008 | <u>J(1)</u> | <u>0</u> <u>(1)</u> | <u>(1)</u> | <u>(1)</u> | Class A Common Stock | 42,000 | \$ 12.904 |
| Equity Swap | <u>(1)</u> | 08/27/2008 | <u>J(1)</u> | <u>0</u> <u>(1)</u> | <u>(1)</u> | <u>(1)</u> | Class A Common Stock | 45,000 | \$ 12.839 |
| Equity Swap | <u>(1)</u> | 09/19/2008 | <u>J(1)</u> | <u>0</u> <u>(1)</u> | <u>(1)</u> | <u>(1)</u> | Class A Common Stock | 192,000 | \$ 15.272 |

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | |
|--|---------------|-----------|---------|---------------|
| | Director | 10% Owner | Officer | Other |
| HARBERT MANAGEMENT CORP 2100 THIRD AVENUE NORTH SUITE 600 BIRMINGHAM, AL 35203 | | X | | * See Remarks |
| HARBINGER CAPITAL PARTNERS OFFSHORE MANAGER, L.L.C. 555 MADISON AVENUE 16TH FLOOR NEW YORK, NY 10022 | | X | | * See Remarks |
| HMC INVESTORS, L.L.C. 2100 THIRD AVENUE NORTH SUITE 600 BIRMINGHAM, AL 35203 | | X | | * See Remarks |
| HMC - NEW YORK, INC. 555 MADISON AVENUE 16TH FLOOR NEW YORK, NY 10022 | | X | | * See Remarks |
| HARBERT RAYMOND J 2100 THIRD AVENUE NORTH SUITE 600 BIRMINGHAM, AL 35203 | | X | | * See Remarks |
| LUCE MICHAEL D 2100 THIRD AVENUE NORTH SUITE 600 | | X | | * See Remarks |

BIRMINGHAM, AL 35203

Signatures

| | |
|---|------------|
| Harbert Management Corporation(+), By: /s/ Joel B. Piassick | 03/06/2009 |
| __Signature of Reporting Person | Date |
| Harbinger Capital Partners Offshore Manager, L.L.C.(+). By: Harbinger Holdings, LLC, Managing Member, By: /s/ Philip Falcone | 03/06/2009 |
| __Signature of Reporting Person | Date |
| HMC Investors, L.L.C.(+), By: /s/ Joel B. Piassick | 03/06/2009 |
| __Signature of Reporting Person | Date |
| HMC-New York, Inc.(+), By: /s/ Joel B. Piassick | 03/06/2009 |
| __Signature of Reporting Person | Date |
| /s/ Raymond J. Harbert(+) | 03/06/2009 |
| __Signature of Reporting Person | Date |
| /s/ Michael D. Luce(+) | 03/06/2009 |
| __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).
- (1) As a result of the transfer of certain management agreements and related transactions entered into by the Reporting Persons effective as of March 4, 2009, the Reporting Persons no longer have indirect beneficial ownership of the shares previously reported to be indirectly beneficially owned by the Reporting Persons as set forth on previous Form 4 filings.

Remarks:

(+) The Reporting Person may be deemed to be a member of a "group" for purposes of the Securities Exchange Act of 1934, as amended. The Reporting Person disclaims beneficial ownership of any securities deemed to be owned by the group that are not directly owned by the Reporting Person. This report shall not be deemed an admission that such Reporting Person is a member of a group or the beneficial owner of any securities not directly owned by such Reporting Person.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.