

ADVANCED ENERGY INDUSTRIES INC  
Form 8-K  
April 23, 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**

**Date of Report (Date of earliest event reported): April 23, 2010**

**Advanced Energy Industries, Inc.**

(Exact name of registrant as specified in its charter)

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

**000-26966**  
(Commission  
File Number)

**84-0846841**  
(IRS Employer  
Identification No.)

**1625 Sharp Point Drive, Fort Collins, Colorado**  
(Address of principal executive offices)

**80525**  
(Zip Code)

Registrant's telephone number, including area code: **(970) 221-4670**

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)
  - ☐ 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))
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**Item 5.03 Amendment to Articles of Incorporation or Bylaws; Changes in Fiscal Year.**

On April 23, 2010, the Board of Directors of Advanced Energy Industries, Inc. adopted the Third Amendment to the By-Laws of Advanced Energy Industries, Inc. (the ***Third Amendment*** ), effective immediately. The Third Amendment amends Subpart (b)(i) of Section 5 (Article III) to reduce the percentage of voting interests required for a stockholder to call a special meeting from 20% to 10%.

The foregoing is a description of the amendment to Advanced Energy's By-Laws and is qualified in its entirety by reference to the full text of the Third Amendment. Third Amendment is attached as Exhibit 3.1 to this report and is incorporated herein by reference.

**Item 9.01 Financial Statements and Exhibits.**

(d) Exhibits

3.1 Third Amendment to the By-Laws of Advanced Energy Industries, Inc.

**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.

Advanced Energy Industries, Inc.

Date: April 23, 2010

/s/ Thomas O. McGimpsey  
Thomas O. McGimpsey  
Vice President, General Counsel &  
Corporate Secretary

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**Exhibit Index**

- 3.1 Third Amendment to the By-Laws of Advanced Energy Industries, Inc.