

VARIAN MEDICAL SYSTEMS INC

Form 8-K

December 04, 2009

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)

December 3, 2009

VARIAN MEDICAL SYSTEMS, INC.
(Exact Name of Registrant as Specified in its Charter)

Delaware
(State or Other Jurisdiction
of Incorporation)

1-7598
(Commission File
Number)

94-2359345
(IRS Employer
Identification No.)

3100 Hansen Way, Palo
Alto, CA
(Address of Principal
Executive Offices)

94304-1030
(Zip Code)

Registrant's telephone number, including area code

(650) 493-4000

Not Applicable
(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)

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 December 3, 2009, Varian Medical Systems, Inc. (“Varian”) learned that a Swedish court ruled that the tender for a proton therapy system at Skandion Kliniken (“Skandion”) be recommenced. Varian will maintain the \$62 million order for this system on its books pending Skandion’s decision on which of several options under Swedish law it may elect to pursue in response to the ruling.

Skandion awarded Varian the contract for the proton therapy system following a public tender process that was subsequently challenged by a competitor. The Swedish court ruled in favor of the challenge on December 3.

Varian does not believe that the ruling will have an effect on its previously announced revenue and earnings guidance for fiscal year 2010.

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.

Varian Medical Systems, Inc.

By: */s/ JOHN W. KUO*
Name: John W. Kuo
Title: Corporate Vice President, General Counsel and
Secretary

Dated: December 4, 2009
