

NetApp, Inc.

Form 8-K

August 13, 2008

**UNITED STATES**

**SECURITIES AND EXCHANGE COMMISSION**

**Washington, D.C. 20549**

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**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): August 13, 2008**

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**NetApp, Inc.**

**(Exact name of Registrant as specified in its charter)**

**Delaware 0-27130 77-0307520**  
**(State or other jurisdiction of (Commission (I.R.S. Employer**

**incorporation or organization) File Number) Identification Number)**

**495 East Java Drive  
Sunnyvale, CA 94089**

**(Address of principal executive offices) (Zip Code)**

**(408) 822-6000**

**(Registrant's telephone number, including area code)**

**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))**

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**Item 2.02. Results of Operations and Financial Condition**

On August 13, 2008, NetApp, Inc. issued a press release announcing its earnings for the first quarter fiscal year 2009. The press release is attached as an exhibit to this Form 8-K, and the information set forth therein is hereby incorporated by reference into this Item 2.02.

**Item 9.01 Financial Statements and Exhibits**

**(d) Exhibits.**

NetApp, Inc.'s August 13, 2008 press release is hereby furnished as Exhibit 99.1 to this Form 8-K in connection with the disclosures under Item 2.02 of this Form 8-K.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

August 13, 2008 By: /s/ Steven Gomo

**Steven J. Gomo**  
Chief Financial Officer

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**Index to Exhibits**

<b><u>Exhibit</u></b>	<b><u>Description</u></b>
99.1	Press release of NetApp, Inc. issued on August 13, 2008.