**BIOMET INC** Form 3 July 27, 2007

# FORM 3

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

**OMB APPROVAL** 

**OMB** Number:

3235-0104

Expires:

response...

January 31, 2005

0.5

Estimated average burden hours per

INITIAL STATEMENT OF 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 \*

Jones Adrian M

(Last)

(First)

(Middle)

Statement

(Month/Day/Year)

07/17/2007

2. Date of Event Requiring 3. Issuer Name and Ticker or Trading Symbol

**BIOMET INC [BMET]** 

4. Relationship of Reporting Person(s) to Issuer

5. If Amendment, Date Original

Filed(Month/Day/Year)

C/O GOLDMAN, SACHS & CO., 85 BROAD STREET

(Street)

\_X\_\_ Director

(give title below) (specify below)

Officer

(Check all applicable)

10% Owner Other

6. Individual or Joint/Group

Filing(Check Applicable Line) \_X\_ Form filed by One Reporting

Person

Form filed by More than One

Reporting Person

4. Nature of Indirect Beneficial

See footnotes (1) (2)

NEW YORK, NYÂ 10004

(City) (State) (Zip) Table I - Non-Derivative Securities Beneficially Owned

1. Title of Security

(Instr. 4)

2. Amount of Securities Beneficially Owned

124,282 (1) (2)

(Instr. 4)

Ownership Form:

Ownership

(Instr. 5)

Direct (D) or Indirect

(I)

(Instr. 5)

Common Shares

Reminder: Report on a separate line for each class of securities beneficially

owned directly or indirectly.

SEC 1473 (7-02)

I

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

1. Title of Derivative Security (Instr. 4)

**Expiration Date** (Month/Day/Year)

2. Date Exercisable and

3. Title and Amount of Securities Underlying **Derivative Security** 

Conversion or Exercise Price of

5. Ownership Form of Derivative

6. Nature of Indirect Beneficial Ownership (Instr. 5)

(Instr. 4)

Title

Derivative Security

Security: Direct (D)

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	Date Exercisable	Expiration Date		Amount or Number of Shares		or Indirect (I) (Instr. 5)	
Call Option (right to purchase)	(3)	01/17/2009	Common Shares	3,100	\$ 45	I	See footnotes (1) (2) (4)
Security Based Swap (put equivalent) (5)	(5)	04/07/2017	Common Shares	1,400	\$ <u>(5)</u>	I	See footnotes (1) (2) (5)
Security Based Swap (put equivalent) (5)	(5)	04/10/2017	Common Shares	20,200	\$ <u>(5)</u>	I	See footnotes <u>(1)</u> <u>(2)</u> <u>(5)</u>

# **Reporting Owners**

Reporting Owner Name / Address	Relationships					
· · · · · · · · · · · · · · · · · · ·	Director	10% Owner	Officer	Other		
Jones Adrian M C/O GOLDMAN, SACHS & CO. 85 BROAD STREET NEW YORK, NY 10004	ÂX	Â	Â	Â		

### **Signatures**

/s/ Yvette Kosic, Attorney-in-fact 07/27/2007

\*\*Signature of Reporting Person

# **Explanation of Responses:**

\* If the form is filed by more than one reporting person, *see* Instruction 5(b)(v).

Date

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

The Reporting Person is currently a managing director of Goldman, Sachs & Co. ("Goldman Sachs"). Goldman Sachs is a direct and indirect wholly-owned subsidiary of The Goldman Sachs Group, Inc. ("GS Group"). Goldman Sachs is affiliated with private equity funds that hold equity interests in LVB Acquisition Holding, LLC, the indirect beneficial owner of 208,324,725 Biomet, Inc. ("Biomet") common shares, including 5,723,595 shares beneficially owned by Dr. Dane A. Miller and Mary Louise Miller that are subject to a voting agreement with LVB Acquisition. Inc., a subsidiary of LVB Acquisition Holding, LLC. In addition,

- (1) Inc. ("Biomet") common shares, including 5,723,595 shares beneficially owned by Dr. Dane A. Miller and Mary Louise Miller that are subject to a voting agreement with LVB Acquisition, Inc., a subsidiary of LVB Acquisition Holding, LLC. In addition, Goldman Sachs and other wholly-owned subsidiaries of GS Group may be deemed to directly beneficially own 124,282 Biomet common shares.
- The Reporting Person disclaims beneficial ownership of all of the securities reported on Table I and Table II of this Form 3, including the Biomet common shares that are or may be beneficially owned by LVB Acquisition Holding, LLC, Goldman Sachs and any of its affiliated funds.
- (3) Immediately exercisable.
- (4) The securities reported herein are directly beneficially owned by Goldman Sachs.

Goldman Sachs International ("GSI"), a wholly-owned subsidiary of the GS Group, entered into security-based swap agreements in the form of contracts for differences under which GSI is obligated to make payments to its counterparty, or GSI's counterparty

is obligated to make payments to GSI, as the case may be, based on changes in the price of Biomet's common shares and any declared dividends. In addition, the counterparty is obligated to make floating rate payments to GSI based on the notional size of the transaction.

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.

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