

HEMISPHERX BIOPHARMA INC

Form 8-K

October 18, 2013

---

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)  
October 18, 2013

HEMISPHERX BIOPHARMA, INC.  
(Exact name of registrant as specified in its charter)

|   |  |   |
|---|--|---|
| Delaware<br>(state or other juris-<br>diction of incorporation) | 0 27072<br>(Commission<br>File Number) | 52-0845822<br>(I.R.S. Employer<br>Identification No.) |
|---|--|---|

|   |                     |
|---|---------------------|
| 1617 JFK Boulevard, Suite 500, Philadelphia, PA<br>(Address of principal executive offices) | 19103<br>(Zip Code) |
|---|---------------------|

Registrant's telephone number, including area code: (215) 988-0080

1617 JFK Boulevard, Suite 660, Philadelphia, PA 19103  
(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 5.07 Submission of Matters to a Vote of Security Holders

The Company's Annual Meeting of Stockholders for 2013 was held on October 18, 2013. The requisite quorum for the meeting of 33.3% was present. At the meeting, stockholders voted as follows:

Election of Directors:

| Nominees             | For        | Withheld  | Broker Non-Votes |
|----------------------|------------|-----------|------------------|
| William A. Carter    | 18,140,207 | 3,077,710 | 69,564,045       |
| Thomas K. Equels     | 18,774,055 | 2,443,862 | 69,564,045       |
| William M. Mitchell  | 17,006,467 | 4,211,450 | 69,564,045       |
| Iraj E. Kiani        | 16,787,204 | 4,430,713 | 69,564,045       |
| Peter W. Rodino, III | 19,633,622 | 1,584,295 | 69,564,045       |

Ratification of the appointment of McGladrey LLP as our independent accountants:

For: 87,101,794      Against: 2,538,111      Abstain: 1,142,057

Annual, non-binding advisory resolution, by stockholders on the elements of Executive Compensation:

For: 9,289,452      Against: 11,418,922      Abstain: 509,143      Broker Non-Votes: 69,564,045

For more information, please see the October 18, 2013 press released furnished as exhibit 99.1 to this report.

Item 9.01. Financial Statements and Exhibits.

| (d) Exhibits: | Description                           |
|---------------|---------------------------------------|
| 99.1          | Press release dated October 18, 2013. |

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.

HEMISPHERX BIOPHARMA, INC.

October 18, 2013

By: /s/ Charles T. Bernhardt  
Charles T. Bernhardt  
Chief Financial Officer