

EACO CORP
Form 8-K
May 19, 2008

**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): May 16, 2008

EACO CORPORATION
(Exact name of registrant as specified in its charter)

| | | |
|---|---|---|
| Florida (State or other jurisdiction of incorporation) | 0-14311 (Commission File Number) | 59-2597349 (I.R.S. Employer Identification Number) |
|---|---|---|

| | |
|---|-----------------------------------|
| 1500 N. Lakeview Avenue Anaheim, CA (Address of principal executive offices) | 92807 (Zip Code) |
|---|-----------------------------------|

(714) 876-2490
(Registrant's telephone number, including area code)

(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)

Edgar Filing: EACO CORP - Form 8-K

- “ 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))



\6268014.1



Item 2.02 Results of Operation and Financial Condition.

On May 16, 2008, EACO Corporation (the “Company”) issued a press release announcing revised earnings for the first quarter of 2008. The corrected earnings release takes into account the impact of the settlement of the Company’s litigation with Horn Capital Realty on the first quarter results and corrects the first quarter financial information previously provided by the Company in its May 5, 2008 press release. A copy of the May 16, 2008 press release is attached as Exhibit 99.1.

Among other changes in the first quarter results compared to the May 5, 2008 press release, the corrected earnings show a \$550,000 increase in loss from discontinued operations, net of income tax, and a \$550,000 increase in accrued liabilities. The corrected net loss per share for the first quarter is \$0.27 and the corrected shareholders’ equity as of the end of the first quarter is (\$938,200).

For more information regarding the settlement of the Company’s litigation with Horn Capital Realty, please see the Company’s Current Report on Form 8-K filed with the Securities and Exchange Commission on May 15, 2008.

The information in this report (including the exhibit) shall not be deemed to be “filed” for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the “Exchange Act”), or otherwise subject to the liability of that section, and shall not be incorporated by reference into any registration statement or other document filed under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such filing.

Item 9.01 Exhibits.

(d) Exhibits

| Exhibit No. | Exhibit |
|-------------|-----------------------------------|
| 99.1 | Press release dated May 16, 2008. |

SIGNATURES

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

EACO CORPORATION

By: /s/ Glen Ceiley

Name: Glen Ceiley
Title: Chief Executive Officer
Date: May 16, 2008

Exhibit Index

| Exhibit No. | Exhibit |
|-------------|-----------------------------------|
| 99.1 | Press release dated May 16, 2008. |