

[Toggle SGML Header \(+\)](#)**Section 1: 8-K**

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**  
**WASHINGTON, DC 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): **November 26, 2008**

**Horizon Bancorp**

(Exact Name of Registrant as Specified in Its Charter)

**Indiana**

(State or Other Jurisdiction of Incorporation)

**000-10792**

(Commission File Number)

**35-1562417**

(IRS Employer Identification No.)

**515 Franklin Square, Michigan City, Indiana**

(Address of Principal Executive Offices)

**46360**

(Zip Code)

**(219) 879-0211**

(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)

..  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 November 26, 2008, Horizon Bancorp issued a press release announcing that it received preliminary approval from the U.S. Treasury Department (the “**Treasury**”), subject to standard closing conditions, for the investment of \$25 million in the Company as part of the Treasury’s recently announced Capital Purchase Program. Additional information is provided in the press release attached as Exhibit 99.1 to this Current Report on Form 8-K, which is incorporated herein by reference.

**Item 9.01 Financial Statements and Exhibits**

**(d) Exhibits**

<u>Exhibit No.</u>	<u>Description</u>
99.1	Press Release issued November 26, 2008

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## 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 hereto duly authorized.

Date: December 1, 2008

Horizon Bancorp

By: /s/ James H. Foglesong  
James H. Foglesong,  
Chief Financial Officer

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## EXHIBIT INDEX

<u>Exhibit No.</u>	<u>Description</u>	<u>Location</u>
99.1	Press Release issued November 26, 2008	Attached

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## Section 2: EX-99.1 (PRELIMINARY APPROVAL TO PARTICIPATE IN US TREASURY PROGRAM)

Exhibit 99.1



Contact: James H. Foglesong  
Chief Financial Officer  
Phone: (219) 873-2608  
Fax: (219) 874-9280  
Date: November 26, 2008

### FOR IMMEDIATE RELEASE

#### **Horizon Bancorp Receives Preliminary Approval to Participate in U.S. Treasury Capital Purchase Program**

Michigan City, Indiana (NASDAQ-GM: HBNC) – Horizon Bancorp today announced that it has received preliminary approval from the U.S. Department of the Treasury for the investment of \$25 million in Horizon as part of the Treasury’s recently announced Capital Purchase Program. The preliminary approval is subject to standard conditions and the execution of definitive agreements.

Craig M. Dwight, President and CEO of Horizon, commented, “We are pleased to have received preliminary approval from the U.S. Treasury for participation in this program. The additional capital will improve Horizon’s already strong regulatory capital ratios and provide funding to meet the needs of customers and communities.”

Under the program, the Treasury will acquire 25,000 Series A shares of Horizon’s Fixed Rate Cumulative Perpetual Preferred Stock that will pay a 5% dividend for each of the first five years of the investment (which will total \$1,250,000 a year) and 9% per year thereafter (which will total \$2,250,000 a year) unless Horizon redeems the shares. The preferred shares will qualify as Tier I capital and are callable by Horizon after three years. As part of its investment, the Treasury will also receive a warrant to purchase approximately 231,817 shares of common stock of Horizon, with an exercise price of approximately \$16.18 per share. The warrant is expected to give the Treasury the opportunity to benefit from an increase in the common stock price of the company. The transaction is anticipated to close on or before December 22, 2008.

Horizon Bancorp is a locally owned, independent, commercial bank holding company serving Northern Indiana and Southwest Michigan. Horizon also offers mortgage-banking services throughout the Midwest. Horizon Bancorp may be reached on the World Wide Web at [www.accesshorizon.com](http://www.accesshorizon.com). Its common stock is traded on the NASDAQ Global Market under the symbol HBNC.

Statements in this press release which express “belief,” “intention,” “expectation,” and similar expressions, identify forward-looking statements. Such forward-looking statements are based on the beliefs of the Company’s management, as well as assumptions made by, and information currently available to, such management. Such statements are inherently uncertain and there can be no assurance that the underlying assumptions will prove to be accurate. Actual results could differ materially from those contemplated by the forward-looking statements. Any forward-looking statements in this release are made pursuant to the safe harbor provisions of the Private Securities Litigation Reform Act of 1995.

Contact: Horizon Bancorp  
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