

Scio Diamond Technology Corp  
Form 8-K  
December 07, 2015

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): **December 2, 2015**

SCIO DIAMOND TECHNOLOGY CORPORATION

(Exact name of registrant as specified in its charter)

|                              |              |                |
|------------------------------|--------------|----------------|
| Nevada                       | 000-54529    | 45-3849662     |
| (State or other jurisdiction | (Commission  | (IRS           |
| of incorporation)            | File Number) | Employer       |
|                              |              | Identification |
|                              |              | No.)           |
| 411 University Ridge Suite D |              | 29601          |

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Greenville, SC

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code: **(864) 751-4880**

Not applicable

(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 for a Vote of Security Holders

Set forth below are the matters the Company's stockholders voted on at the 2015 Annual Meeting and the final voting results.

*Proposal No. 1: Election of Directors.* All seven nominees for director were elected to serve for a one-year term and to serve until the next annual meeting in which their successors are elected, or, if earlier, until their retirement, resignation or removal. The results of the election were as follows:

| Name of Director    | For        | Withheld  | Broker<br>Non-Votes |
|---------------------|------------|-----------|---------------------|
| James A. Korn       | 21,585,699 | 3,320,417 | 12,382,391          |
| Karl V. Leaverton   | 24,855,991 | 50,125    | 12,382,391          |
| Bruce M. Likly      | 21,688,085 | 3,218,031 | 12,382,391          |
| Gerald A. McGuire   | 24,855,991 | 50,125    | 12,382,391          |
| Bernard M. McPheely | 24,471,991 | 434,125   | 12,382,391          |
| Lewis T. Smoak      | 24,845,991 | 60,125    | 12,382,391          |
| Benjamin Wolkowitz  | 21,696,220 | 3,209,896 | 12,382,391          |

*Proposal No. 2: Ratification of Independent Registered Public Accounting Firm.* The stockholders ratified the appointment of Cherry Bekaert LLP as the Company's independent registered public accounting firm for the fiscal year ending March 31, 2016. The vote on the ratification was as follows:

| For        | Against | Abstain |
|------------|---------|---------|
| 36,863,311 | 247,198 | 177,998 |

*Proposal No. 3: Advisory Vote on Executive Compensation.* The stockholders approved, on a non-binding, advisory basis, the compensation of the Company's named executive officers, as disclosed pursuant to the compensation disclosure rules of the Commission. The results of the non-binding, advisory vote were as follows:

| For        | Against | Abstain | Broker<br>Non-Votes |
|------------|---------|---------|---------------------|
| 24,106,252 | 554,564 | 245,300 | 12,382,391          |

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*Proposal No. 4: Advisory Vote on Frequency of Executive Compensation Vote.* The stockholders recommended, on a non-binding, advisory basis, that the Company hold future non-binding, advisory votes on executive compensation every 1 years. The results of the advisory vote were as follows:

| Every Year | Every Other Year | Every Three Years | Abstain | Broker<br>Non-Votes |
|------------|------------------|-------------------|---------|---------------------|
| 21,715,344 | 2,841,871        | 75,500            | 273,401 | 12,382,391          |

The Board has considered these results and determined that the Company should hold a non-binding, advisory vote on the frequency of advisory votes on executive compensation every 1 year until the next required advisory vote on the frequency of advisory votes on executive compensation.

**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, hereunto duly authorized.

SCIO DIAMOND TECHNOLOGY  
CORPORATION  
(Registrant)

Date: December 7, 2015 By: /s/ Gerald McGuire  
Gerald McGuire  
President and Chief Executive Officer