

HEARUSA INC  
Form 8-K  
May 08, 2003

UNITED STATES  
SECURITIES EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

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**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 6, 2003**

**HEARx LTD.**

(Exact name of registrant as Specified in charter)

**DELAWARE**  
(State or Other jurisdiction  
of Incorporation)

**0-16453**  
(Commission  
File Number)

**22-2748248**  
(IRS Employer  
Identification no.)

**1250 Northpoint Parkway**  
**West Palm Beach, Florida 33407**  
(Address of Principal Executive Offices) (Zip Code)

Registrant's telephone number, including area code **(561) 478-8770**

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**Item 7. Financial Statements, Pro Forma Financial Information and Exhibits.**

(c) Exhibits:

| <u>Exhibit No.</u> | <u>Description of Exhibit</u>   |
|--------------------|---|
| 99.1               | Press release dated May 6, 2003 announcing the Company's financial results for the quarterly period ended March 29, 2003. |

**Item 9. Regulation FD Disclosure (Item 12. Disclosure of Results of Operations and Financial Condition).**

On May 6, 2003, HearUSA, Inc. announced its financial results for the fiscal quarter ended March 29, 2003. A copy of the Company's press release announcing those financial results is attached as Exhibit 99.1 to this Current Report on Form 8-K.

The attached press release contains forward-looking statements that involve risks and uncertainties. Such forward-looking statements include statements concerning the expected results of cost control and other measures implemented to improve financial results and efficiency and expected break-even level of revenue for the Company. Actual events could differ materially from those stated and depend on a number of risks and uncertainties, including the Company's ability to increase sales and control costs, the accuracy of management's assumptions, effectiveness of the Company's marketing efforts and general industry and market conditions.

In accordance with the procedural guidance in SEC Release No. 33-8216, the information in this report is being furnished under Item 9. Regulation FD Disclosure rather than under Item 12. Disclosure of Results of Operations and Financial Condition. This information in this report shall not be treated as filed for purposes of the Securities Exchange Act of 1934, as amended.

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.

HearUSA, Inc.

DATE: May 8, 2003

By: /s/ Steven J. Hansbrough  
Steven J. Hansbrough  
Chief Executive Officer

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Exhibit Index

| <u>Exhibit No.</u> | <u>Description of Exhibit</u>                            |
|--------------------|--|
| 99.1               | Press release dated May 6, 2003, issued by HearUSA, Inc. |