

Edgar Filing: ACTUATE CORP - Form SC 13G/A

ACTUATE CORP  
Form SC 13G/A  
February 17, 2009

SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

SCHEDULE 13G

UNDER THE SECURITIES EXCHANGE ACT OF 1934  
(AMENDMENT NO. 2) \*

ACTUATE CORP.

(NAME OF ISSUER)

COMMON STOCK, \$0.001 PAR VALUE PER SHARE

(TITLE OF CLASS OF SECURITIES)

00508B102

(CUSIP NUMBER)

DECEMBER 31, 2008

(DATE OF EVENT WHICH REQUIRES FILING OF THIS STATEMENT)

CHECK THE APPROPRIATE BOX TO DESIGNATE THE RULE PURSUANT TO WHICH THIS SCHEDULE IS FILED:

- RULE 13D-1(B)
- RULE 13D-1(C)
- RULE 13D-1(D)

\*The remainder of this cover page shall be filled out for a reporting person's initial filing on this form with respect to the subject class of securities, and for any subsequent amendment containing information which would alter the disclosures provided in a prior cover page.

The information required in the remainder of this cover page shall not be deemed to be "filed" for the purpose of Section 18 of the Securities Exchange Act of 1934 ("Act") or otherwise subject to the liabilities of that section of the Act but shall be subject to all other provisions of the Act (however, see the Notes).

CUSIP NO. 00508B102

SCHEDULE 13G

PAGE 2 OF 5 PAGES



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2207 Bridgepointe Parkway, Suite 500, San Mateo, CA 94404

### ITEM 2.

(a) Name of Person Filing:

Ashford Capital Management, Inc.

(b) Address of Principal Business Office or, if none, Residence:

P.O. Box 4172, Wilmington, DE 19807

(c) Citizenship: A Delaware Corporation

(d) Title of Class of Securities: Common Stock, \$0.001 Par Value Per Share

(e) CUSIP Number: 00508B102

### ITEM 3. IF THIS STATEMENT IS FILED PURSUANT TO SS.SS.240.13D-1(B) OR 240.13D-2(B) OR (C), CHECK WHETHER THE PERSON FILING IS A:

(a)  Broker or dealer registered under section 15 of the Act

(b)  Bank as defined in section 3(a)(6) of the Act

(c)  Insurance company as defined in section 3(a)(19) of the Act

(d)  Investment company registered under section 8 of the Investment Company Act of 1940

(e)  An investment adviser in accordance with ss.240.13d-1(b)(1)(ii)(E)

(f)  An employee benefit plan or endowment fund in accordance with ss.240.13d-1(b)(1)(ii)(F)

(g)  A parent holding company or control person in accordance with ss.240.13d-1(b)(1)(ii)(G)

(h)  A savings association as defined in section 3(b) of the Federal Deposit Insurance Act

(i)  A church plan that is excluded from the definition of an investment company under section 3(c)(14) of the Investment Company Act of 1940

(j)  Group, in accordance with ss.240.13d-1(b)-1(ii)(J)

### ITEM 4. OWNERSHIP

Provide the following information regarding the aggregate number and percentage of the class of securities of the issuer identified in Item 1.

N/A

### ITEM 5. OWNERSHIP OF FIVE PERCENT OR LESS OF A CLASS

If this statement is being filed to report the fact that as of the date hereof the reporting person has ceased to be the beneficial owner of more than five percent of the class of securities, check the following .

