

AMERICAN PUBLIC EDUCATION INC  
Form 8-K  
December 09, 2011  
**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**

December 9, 2011  
(Date of earliest event reported)

**American Public Education, Inc.**  
(Exact Name of Registrant as Specified in its Charter)

<b>DELAWARE</b>	<b>001-33810</b>	<b>01-0724376</b>
(State or other jurisdiction	(Commission	(I.R.S.
of Incorporation)	File Number)	Employer
		Identification
		No.)

<b>111 WEST CONGRESS STREET,</b>	<b>25414</b>	<b>304-724-3700</b>
<b>CHARLES TOWN, WV</b>		
(Address of principal executive offices)	(Zip Code)	(Registrant's telephone number including area code)

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:

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))

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**Item 7.01 Regulation FD Disclosure.**

In an opinion dated December 8, 2011 in the matter Gaer v. American Public Education, Inc. et al., (civil action no. 3:10-CV-81), the United States District Court for the Northern District of West Virginia granted the motion to dismiss filed on behalf of American Public Education, Inc., Dr. Boston and Mr. Wilkins and dismissed the case in its entirety with prejudice. No appeal of that ruling has been filed by the plaintiff, although the time period within which to do so has not yet expired.

**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.

American Public Education, Inc.

Date: December 9, 2011 By: /s/ Harry T. Wilkins

Harry T. Wilkins

Executive Vice President and Chief Financial  
Officer