

ACTUATE CORP
Form SC14D9C
December 05, 2014

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

SCHEDULE 14D-9
Solicitation/Recommendation Statement
Under Section 14(d)(4) of the Securities Exchange Act of 1934

ACTUATE CORPORATION

(Name of Subject Company)

ACTUATE CORPORATION

(Name of Person Filing Statement)

Common Stock, par value \$0.001 per share

(Title of Class of Securities)

00508B102

(CUSIP Number of Class of Securities)

Peter I. Cittadini

President and Chief Executive Officer

951 Mariners Island Boulevard

San Mateo, California 94404

(650) 645-3000

(Name, address and telephone number of person authorized to receive notices and communications on behalf of the persons filing statement)

With a copy to:

Douglas Cogen, Esq.
Fenwick & West LLP
555 California Street, 12th Floor
San Francisco, CA 94104
(415) 875-2300

Thomas E. McKeever, Esq.
Senior Vice President, General Counsel, Corporate Development, Chief Compliance Officer and Secretary
Actuate Corporation
951 Mariners Island Boulevard
San Mateo, California 94404
(650) 645-3000

x Check the box if the filing relates solely to preliminary communications made before the commencement of a tender offer.

The information set forth under Items 1.01, 3.03, 5.02, 8.01 and 9.01 of the Current Report on Form 8-K filed by Actuate Corporation on December 5, 2014 (including all exhibits attached thereto) are incorporated herein by reference.