

FIDELITY SOUTHERN CORP

Form 8-K

September 28, 2004

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**

**WASHINGTON, DC 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) September 28, 2004

**Fidelity Southern Corporation**

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(Exact Name of Registrant as Specified in Its Charter)

Georgia

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(State or Other Jurisdiction of Incorporation)

022374

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58-1416811

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(Commission File Number)

(IRS Employer Identification No.)

3490 Piedmont Road, Suite 1550

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Atlanta, GA 30305

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(Address of Principal Executive Offices)

(Zip Code)

(404) 639-6500

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(Registrant's Telephone Number, Including Area Code)

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(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))
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**Item 7.01 Regulation FD Disclosure.**

Incorporated by reference are the materials presented by Fidelity Southern Corporation at the SunTrust Robinson Humphrey Sunbelt Community Bank Conference and originally distributed on September 28, 2004, which are attached as Exhibit 99.1.

This information shall not be deemed to be filed for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the Exchange Act ), or otherwise subject to the liabilities of that Section, and is not incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, except as expressly set forth by specific reference in such filing.

**Item 9.01 Financial Statements and Exhibits.**

**(c) Exhibits.**

The following exhibit is furnished herewith:

99.1 Presentation materials distributed by SunTrust Robinson Humphrey Sunbelt Community Bank Conference and originally distributed on September 28, 2004.

**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.

**Fidelity Southern Corporation**

Date: September 28, 2004

By: /s/ Howard M. Griffith, Jr.

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Howard M. Griffith, Jr.  
Its: Chief Financial Officer