

GERBINO KENNETH JOSEPH  
 Form 3  
 October 08, 2010

**FORM 3 UNITED STATES SECURITIES AND EXCHANGE COMMISSION**  
**Washington, D.C. 20549**

OMB APPROVAL

OMB Number: 3235-0104  
 Expires: January 31, 2005  
 Estimated average burden hours per response... 0.5

**INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,  
 Section 17(a) of the Public Utility Holding Company Act of 1935 or Section  
 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
 GERBINO KENNETH JOSEPH

(Last) (First) (Middle)

9595 WILSHIRE BOULEVARD,, SUITE 303

(Street)

BEVERLY HILLS, CA 90212

(City) (State) (Zip)

2. Date of Event Requiring Statement  
 (Month/Day/Year)  
 08/13/2010

3. Issuer Name and Ticker or Trading Symbol  
 EMGOLD MINING CORP [EGMCF]

4. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

\_\_\_ Director \_\_\_X\_\_\_ 10% Owner  
 \_\_\_ Officer \_\_\_ Other  
 (give title below) (specify below)

5. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)  
 \_\_\_X\_\_\_ Form filed by One Reporting Person  
 \_\_\_ Form filed by More than One Reporting Person

**Table I - Non-Derivative Securities Beneficially Owned**

| 1. Title of Security<br>(Instr. 4) | 2. Amount of Securities Beneficially Owned<br>(Instr. 4) | 3. Ownership Form:<br>Direct (D)<br>or Indirect (I)<br>(Instr. 5) | 4. Nature of Indirect Beneficial Ownership<br>(Instr. 5) |
|------------------------------------|--|---|--|
| Common Shares, without par value   | 1,735  | I   | By Gerbino Gold Group, LLC <sup>(1)</sup>                |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

SEC 1473 (7-02)

**Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.**

**Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**

| 1. Title of Derivative Security<br>(Instr. 4) | 2. Date Exercisable and Expiration Date<br>(Month/Day/Year) | 3. Title and Amount of Securities Underlying Derivative Security<br>(Instr. 4) | 4. Conversion or Exercise Price of Derivative | 5. Ownership Form of Derivative Security: | 6. Nature of Indirect Beneficial Ownership<br>(Instr. 5) |
|---|---|--|---|---|--|
|---|---|--|---|---|--|

Edgar Filing: GERBINO KENNETH JOSEPH - Form 3

|         | Date Exercisable | Expiration Date | Title         | Amount or Number of Shares | Security | Direct (D) or Indirect (I) (Instr. 5) |                                |
|---------|------------------|-----------------|---------------|----------------------------|----------|---------------------------------------|--------------------------------|
| Warrant | Â (2)            | 04/06/2012      | Common Shares | 360                        | \$ 0.35  | I                                     | By Gerbino Gold Group, LLC (1) |
| Warrant | Â (2)            | 08/10/2012      | Common Shares | 1,735                      | \$ 0.35  | I                                     | By Gerbino Gold Group, LLC (1) |

## Reporting Owners

| Reporting Owner Name / Address   | Relationships |           |         |       |
|--|---------------|-----------|---------|-------|
|  | Director      | 10% Owner | Officer | Other |
| GERBINO KENNETH JOSEPH<br>9595 WILSHIRE BOULEVARD,<br>SUITE 303<br>BEVERLY HILLS, CA 90212 | Â             | Â X       | Â       | Â     |

## Signatures

/s/ Kenneth J. Gerbino 10/04/2010

\*\*Signature of Reporting Person Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, *see* Instruction 5(b)(v).
  - \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- Although the Reporting Person possesses shared voting and investment power over all securities owned by Gerbino Gold Group, LLC
- (1) reported on this Form, his actual pecuniary interest (through his percentage ownership in such entity) is limited to the number of shares set forth in this Form.
  - (2) Immediately exercisable.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *See* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.