

TEREX CORP  
Form 8-K  
March 04, 2008

UNITED STATES

SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

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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) March 3, 2008

## TEREX CORPORATION

(Exact Name of Registrant as Specified in Charter)

Delaware  
(State or Other Jurisdiction  
of Incorporation)

1-10702  
(Commission  
File Number)

34-1531521  
(IRS Employer  
Identification No.)

200 Nyala Farm Road, Westport, Connecticut  
(Address of Principal Executive Offices)

06880  
(Zip Code)

Registrant's telephone number, including area code (203) 222-7170

NOT APPLICABLE  
(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):

## Edgar Filing: TEREX CORP - Form 8-K

- 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))

**Item 8.01. Other Events.**

On March 3, 2008, Terex Corporation ( Terex ) completed the acquisition of A.S.V., Inc. (the Company ) by means of a short form merger under Minnesota law. On February 26, 2008, Terex announced the successful completion of its tender offer for the Company common stock. In the merger, each outstanding share of common stock, par value \$0.01 per share, of the Company not tendered in the tender offer (other than shares to which the holder has properly exercised dissenters' rights) was converted into the right to receive \$18.00 in cash per share, without interest. The Company is now a wholly-owned subsidiary of Terex. The press release announcing completion of the merger is attached hereto as Exhibit 99.1.

**Item 9.01. Financial Statements and Exhibits.**

(c) Exhibits  
99.1 Press release of Terex Corporation issued on March 4, 2008.

**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.

Date: March 4, 2008

TEREX CORPORATION

By: /s/ Eric I Cohen

Eric I Cohen

Senior Vice President,

Secretary and General

Counsel