

TRANSGENOMIC INC
Form 8-K/A
June 01, 2007

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 8-K/A

CURRENT REPORT

Pursuant to Section 13 OR 15(d) of The Securities Exchange Act of 1934

Date of Report (Date of earliest event reported):

May 16, 2007

TRANSGENOMIC, INC.

(Exact name of registrant as specified in its charter)

Delaware
(State of Incorporation)

000-30975
(Commission File Number)

911789357
(IRS Employer Identification Number)

12325 Emmet Street, Omaha, Nebraska
(Address of principal executive offices)

(402) 452-5400

68164
(Zip Code)

(Registrant's telephone number, including area code)

Not applicable

(Former name or former address, if changed since last report)

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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 4.01. Change in Registrant's Certifying Accountant.

- (a) On May 16, 2007, the Audit Committee, acting on behalf of the Registrant's Board of Directors, dismissed Deloitte & Touche (the Former Accountant) as the principal independent accountant of the Registrant. May 16, 2007 is also the date that the Registrant's relationship with Deloitte & Touche ended for purposes of performing audit services. The Former Accountant's reports for the past two (2) fiscal years did not contain any adverse opinion or disclaimer of opinion, and such reports were not qualified or modified as to uncertainty, audit scope or accounting principles.

During the two (2) most recent fiscal years and any subsequent interim period through May 16, 2007, there have been no disagreements between the Registrant and the Former Accountant on any matter of accounting principles or practices, financial statement disclosure or auditing scope of procedures, which disagreements, if not resolved to the satisfaction of the Former Accountant, would have caused the Former Accountant to make reference to the subject matter thereof in its report. No reportable events (as defined by Item 304(a)(1)(v) of Regulation S-K) occurred during the two (2) most recent fiscal years and through May 16, 2007.

The Former Accountant has furnished the Registrant with a letter addressed to the U.S. Securities and Exchange Commission stating that the Former Accountant agrees with the above statements. A copy of such letter is attached as Exhibit 16 to this Report.

- (b) On May 16, 2007, the Audit Committee, acting on behalf of the Registrant's Board of Directors, engaged McGladrey & Pullen, LLP (the New Accountant) as the Registrant's principal independent accountant, subject to the completion of the New Accountant's normal client acceptance procedures. The Registrant did not, nor did anyone on its behalf, consult the New Accountant during the Registrant's two (2) most recent fiscal years and during the subsequent interim period prior to the Registrant's engagement of the New Accountant regarding the application of accounting principles to a specified transaction (completed or proposed), the type of audit opinion that might be rendered on the Registrant's financial statements, any matter being the subject of a disagreement or reportable event or any other matter described in Item 304(a)(2) of Regulation S-K.

Item 9.01. Financial Statements and Exhibits.

Exhibit No.

16 Revised letter from Deloitte & Touche LLP regarding change in certifying accountants

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: May 31, 2007

TRANSGENOMIC, INC.

By: /s/ Debra A. Schneider
Debra A. Schneider
Chief Financial Officer