

SUNPOWER CORP  
Form 8-K  
January 08, 2019

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**  
**Washington, D.C. 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): January 5, 2019**

**SunPower Corporation**

**(Exact name of registrant as specified in its charter)**

**Delaware**  
**(State or other jurisdiction**

**of incorporation)**

**001-34166**  
**(Commission**

**File Number)**

**77 Rio Robles, San Jose, California 95134**

**94-3008969**  
**(I.R.S. Employer**

**Identification No.)**

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**(Address of principal executive offices, with zip code)**

**(408) 240-5500**

**(Registrant's telephone number, including area code)**

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))

Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

**Item 5.02 Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.**

On January 5, 2019, SunPower Corporation (the Company ) and William P. Mulligan III, its Executive Vice President, Global Operations, agreed that he will transition out of the Company in the coming months. Dr. Mulligan has agreed to continue in his role through March 31, 2019, and has entered into a Master Services Agreement with the Company, dated January 5, 2019, to be effective April 1, 2019 (the Consulting Agreement ), pursuant to which he will provide technical and management consulting services to the Company following his departure. Pursuant to the Consulting Agreement, Dr. Mulligan will provide services from April through December 2019, in exchange for payments of up to a maximum of \$225,000. The Company will also reimburse Dr. Mulligan for reasonable pre-approved expenses in accordance with its policies.

**Item 8.01. Other Events.**

On January 8, 2019, the Company issued a press release announcing that it had named Jeff Waters as Chief Executive Officer of the SunPower Technologies business unit. A copy of the press release is attached as Exhibit 99.1 hereto.

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

(d) Exhibits

| Exhibit No. | Description                                |
|-------------|--|
| 99.1        | <u>Press release dated January 8, 2019</u> |

**SIGNATURE**

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.

**SUNPOWER CORPORATION**

January 8, 2019

By: /s/ KENNETH L. MAHAFFEY  
Name: **Kenneth L. Mahaffey**  
Title: **Executive Vice President and**

**General Counsel**