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ZIOPHARM ONCOLOGY INC Form 8-K October 24, 2013

#### **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): October 24, 2013

ZIOPHARM Oncology, Inc.

(Exact Name of Registrant as Specified in Charter)

Delaware (State or Other Jurisdiction  $\begin{array}{c} \textbf{001-33038} \\ \textbf{(Commission} \end{array}$ 

84-1475672 (IRS Employer

of Incorporation)

File Number)

**Identification No.)** 

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# 1180 Avenue of the Americas Suite 2020 New York, NY (Address of Principal Executive Offices)

10036 (Zip Code)

(646) 214-0700

(Registrant s telephone number, including area code)

### Not applicable

(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box below if the Form 8-K 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 8.01 Other Events**

On October 24, 2013, ZIOPHARM Oncology, Inc., or the Company, issued a press release announcing the pricing of its previously announced public offering.

A copy of the above referenced press release is filed as Exhibit 99.1 to this Current Report on Form 8-K.

# **Item 9.01 Financial Statements and Exhibits**

(d) Exhibits.

# **Exhibit**

No. Description

99.1 Press Release, dated October 24, 2013

# **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: October 24, 2013

ZIOPHARM Oncology, Inc.

By: /s/ Caesar Belbel Name: Caesar Belbel

Title: Executive Vice President, Chief Legal Officer

and Secretary

# INDEX OF EXHIBITS

Exhibit

No. Description

99.1 Press Release, dated October 24, 2013