Salmon Robert E Form 4 September 09, 2010

### FORM 4

# UNITED STATES SECURITIES AND EXCHANGE COMMISSION

**SECURITIES** 

Washington, D.C. 20549 STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

if no longer subject to Section 16. Form 4 or Form 5

Check this box

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

See Instruction

may continue. 30(h) of the Investment Company Act of 1940 1(b).

(Print or Type Responses)

| 1. Name and Address of Reporting Person * Salmon Robert E |          | rting Person * | 2. Issuer Name <b>and</b> Ticker or Trading Symbol NetApp, Inc. [NTAP] | 5. Relationship of Reporting Person(s) to Issuer  (Check all applicable)                               |  |  |
|---|----------|----------------|--|--|--|--|
| (Last) (First) (M   |          | (Middle)       | 3. Date of Earliest Transaction  |  |  |  |
| 495 EAST J  | AVA DRIV | E              | (Month/Day/Year)<br>09/08/2010   | Director 10% Owner _X Officer (give title Other (specify below)  Executive VP, Field Operations        |  |  |
| (Street)  |          |                | 4. If Amendment, Date Original Filed(Month/Day/Year)                   | 6. Individual or Joint/Group Filing(Chec<br>Applicable Line)<br>_X_ Form filed by One Reporting Person |  |  |
| SUNNYVALE, CA 94089                                       |          |                |  | Form filed by More than One Reporting Person   |  |  |

| (City)                               | (State) Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned |  |   |    |  |  |   |  |
|--------------------------------------|--|--|---|----|--|--|---|--|
| 1.Title of<br>Security<br>(Instr. 3) | 2. Transaction Date 2A. Deemed (Month/Day/Year) Execution Date, if any (Month/Day/Year)  |  | 3. 4. Securities Acquired Transaction(A) or Disposed of (D) Code (Instr. 3, 4 and 5) (Instr. 8)  (A) or Code V Amount (D) Price |    | 5. Amount of<br>Securities<br>Beneficially<br>Owned<br>Following<br>Reported<br>Transaction(s)<br>(Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of<br>Indirect<br>Beneficial<br>Ownership<br>(Instr. 4) |  |
| Common<br>Stock                      | 09/08/2010   |  | M 14,300 A  | \$ | 30,675   | I  | by Trust1   |  |
| Common<br>Stock                      |  |  |   |    | 7,500  | D  |   |  |
| Common<br>Stock                      |  |  |   |    | 240  | I  | by Trust2   |  |
| Common<br>Stock                      |  |  |   |    | 240  | I  | by Trust3   |  |

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

**OMB APPROVAL** 

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SEC 1474

(9-02)

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of<br>Derivative<br>Security<br>(Instr. 3) | 2.<br>Conversion<br>or Exercise<br>Price of<br>Derivative<br>Security | 3. Transaction Date<br>(Month/Day/Year) | 3A. Deemed<br>Execution Date, if<br>any<br>(Month/Day/Year) | 4.<br>Transactic<br>Code<br>(Instr. 8) | 5. Number of orDerivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, | 6. Date Exercisable and Expiration Date (Month/Day/Year) |                    | 7. Title and Amour Underlying Securit (Instr. 3 and 4) |                           |
|---|---|---|---|--|--|--|--------------------|--|---------------------------|
|   |   |   |   | Code V                                 | and 5) (A) (D)   | Date<br>Exercisable                                      | Expiration<br>Date | Title  | Amo<br>or<br>Num<br>of Sh |
| Non-Qualified<br>Stock Option<br>(right to buy)     | \$ 19.17  | 09/08/2010                              |   | M                                      | 14,300   | <u>(4)</u>   | 05/02/2014         | Common<br>Stock  | 14,3                      |

#### **Reporting Owners**

Reporting Owner Name / Address Relationships

Director 10% Owner Officer Other

Salmon Robert E 495 EAST JAVA DRIVE SUNNYVALE, CA 94089

Executive VP, Field Operations

#### **Signatures**

By: Janice Mahoney by Power of Attorney For: Robert E.

Salmon 09/09/2010

\*\*Signature of Reporting Person Date

## **Explanation of Responses:**

- \* If the form is filed by more than one reporting person, see Instruction 4(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).
- (1) Shares held in trust by Robert Salmon and Patricia Mertens-Salmon, trustees to the Salmon Trust UDT 10/6/2000
- (2) Shares held in trust by Patricia Mertens-Salmon, Custodian for Michael T. Salmon UTMA CA.
- (3) Shares held in trust by Patricia Mertens-Salmon, Custodian for Gregory Salmon UTMA CA.
- (4) Option vests in a series of equal monthly installments over 48 months of service beginning with the one-month annniversary of the grant date.

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.

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