

NOVAMED INC  
Form 8-K  
April 17, 2006

**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): April 12, 2006

NovaMed, Inc.

(Exact Name of Registrant as Specified in Charter)

Delaware  
(State or Other Jurisdiction  
of Incorporation)

0-26625  
(Commission  
File Number)

36-4116193  
(IRS Employer  
Identification No.)

980 North Michigan Avenue, Suite 1620, Chicago, Illinois  
(Address of Principal Executive Offices)

60611  
(Zip Code)

Registrant's telephone number, including area code (312) 664-4100

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### Section 3 - Securities and Trading Markets

#### Item 3.01 Notice of Delisting or Failure to Satisfy a Continued Listing Rule or Standard; Transfer of Listing

(a) On April 12, 2006, NovaMed, Inc. received a Nasdaq Staff Determination letter indicating that NovaMed fails to comply with the filing requirements for continued listing set forth in Marketplace Rule 4310(c)(14) because NovaMed has not yet filed its Annual Report on Form 10-K for the fiscal year ended December 31, 2005 (the "2005 Form 10-K"). As a result, NovaMed's common stock is subject to delisting from the Nasdaq National Market. NovaMed intends to request a hearing before a Nasdaq Listing Qualifications Panel (the "Panel") to appeal the Staff's determination. Pending a decision by the Panel, NovaMed's common stock will remain listed on the Nasdaq National Market. There can be no assurance that the Panel will grant NovaMed's request for continued listing.

As previously disclosed, the delay in filing of NovaMed's 2005 Form 10-K will allow for the completion and audit of certain restatement adjustments to previously filed financial statements. NovaMed and the Audit Committee of its Board of Directors are working diligently to finalize and file the 2005 Form 10-K as soon as possible.

On April 13, 2006, NovaMed, Inc. issued a press release announcing its receipt of the Nasdaq Staff Determination letter, a copy of which is filed as Exhibit 99.1 to this report and is incorporated herein by reference.

### Section 9 - Financial Statements and Exhibits

#### Item 9.01

#### Financial Statements and Exhibits

(d) Exhibits

<u>Exhibit Number</u>	<u>Title</u>
99.1	Press release dated April 13, 2006 announcing NovaMed, Inc.'s receipt of Nasdaq Staff Determination letter on April 12, 2006

**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.

NovaMed, Inc.

Dated: April 17, 2006

By: /s/ Scott T. Macomber  
Scott T. Macomber, Executive Vice President and  
Chief Financial Officer

**EXHIBIT INDEX**

Exhibit No.   Exhibit

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