

DUSA PHARMACEUTICALS INC
 Form 4
 July 05, 2006

FORM 4

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION
 Washington, D.C. 20549**

OMB APPROVAL

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STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person *
 LUFKIN RICHARD C

2. Issuer Name and Ticker or Trading Symbol
 DUSA PHARMACEUTICALS INC
 [DUSA]

5. Relationship of Reporting Person(s) to Issuer
 (Check all applicable)

(Last) (First) (Middle)
 TWO WALNUT CIRCLE
 (Street)

3. Date of Earliest Transaction (Month/Day/Year)
 06/30/2006

Director 10% Owner
 Officer (give title below) Other (specify below)

BASKING RIDGE, NJ 07920
 (City) (State) (Zip)

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)
 Form filed by One Reporting Person
 Form filed by More than One Reporting Person

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Ownership (Instr. 4)		
				(A) or (D)	Code	V	Amount	(D)	Price

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

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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 Derivative Security	2. Conversion or Exercise	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any	4. Transaction Code	5. Number of Derivative Securities	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Security (Instr. 3 and 4)
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(Instr. 3)	Price of Derivative Security	(Month/Day/Year)	(Instr. 8)	Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	Code	V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Non-qualified Stock Option	\$ 5.65	06/30/2006	A	10,000					06/30/2006	06/29/2016	Common Stock	10,000

Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
LUFKIN RICHARD C TWO WALNUT CIRCLE BASKING RIDGE, NJ 07920		X		

Signatures

/s/ Richard C. Lufkin 06/30/2006

**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).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

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Income (loss) before income tax expense (benefit)

(19,903) (18,718) 277,860 – 239,239

Income tax expense (benefit)

600 (6,149) 18,548 – 12,999

Income (loss) before equity in earnings of subsidiaries

(20,503) (12,569) 259,312 – 226,240

Equity in earnings of subsidiaries

246,743 38,233 20,305 (305,281) –

Net income

226,240 25,664 279,617 (305,281) 226,240

Preferred dividends

10,408 – – – 10,408

Net income attributable to common shareholders

\$215,832 25,664 279,617 (305,281) \$215,832

Consolidating Statement of Operations For the Year Ended December 31, 2007	Platinum Holdings	Platinum Finance	Non-guarantor Subsidiaries	Consolidating Adjustments	Consolidated
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Revenue:					
Net premiums earned	\$-	-	1,173,088	-	\$ 1,173,088
Net investment income	6,449	2,348	205,425	-	214,222
Net realized losses on investments	-	-	(413)	-	(413)
Net impairment losses on investments	-	-	(809)	-	(809)
Other income (expense)	4,167	-	(6,340)	-	(2,173)
Total revenue	10,616	2,348	1,370,951	-	1,383,915
Expenses:					
Net losses and loss adjustment expenses	-	-	655,487	-	655,487
Net acquisition expenses	-	-	220,330	-	220,330
Net changes in fair value of derivatives	-	-	5,007	-	5,007
Operating expenses	28,693	361	74,539	-	103,593
Net foreign currency exchange gains	-	-	(2,775)	-	(2,775)
Interest expense	-	21,470	-	-	21,470
Total expenses	28,693	21,831	952,588	-	1,003,112
Income (loss) before income tax expense (benefit)	(18,077)	(19,483)	418,363	-	380,803
Income tax expense (benefit)	2,400	(6,665)	28,090	-	23,825
Income (loss) before equity in earnings of subsidiaries	(20,477)	(12,818)	390,273	-	356,978
Equity in earnings of subsidiaries	377,455	52,111	52,115	(481,681)	-
Net income	356,978	39,293	442,388	(481,681)	356,978
Preferred dividends	10,408	-	-	-	10,408
Net income attributable to common shareholders	\$ 346,570	39,293	442,388	(481,681)	\$ 346,570

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Platinum Underwriters Holdings, Ltd. and Subsidiaries
Notes to Consolidated Financial Statements, continued

Condensed Consolidating Statement of Cash Flows For the Year Ended December 31, 2009	Platinum Holdings	Platinum Finance	Non-guarantor Subsidiaries	Consolidating Adjustments	Consolidated
Net cash provided by (used in) operating activities	\$(7,638)	(17,008)	501,843	–	\$ 477,197
Investing Activities:					
Proceeds from sale of available-for-sale securities	–	–	1,538,633	–	1,538,633
Proceeds from sale of subsidiary shares	–	–	15,377	(15,377)	–
Purchase of subsidiary shares	–	–	(18,367)	18,367	–
Proceeds from maturity or paydown of available-for-sale securities	–	757	434,126	–	434,883
Proceeds from sale of trading securities	–	–	153,223	–	153,223
Acquisition of available-for-sale securities	–	(9,985)	(2,351,328)	–	(2,361,313)
Acquisition of trading securities	–	–	(164,748)	–	(164,748)
Increase in short-term investments	–	(14,944)	63,977	–	49,033
Dividends from subsidiaries	255,000	20,000	–	(275,000)	–
Net cash provided by (used in) investing activities	255,000	(4,172)	(329,107)	(272,010)	(350,289)
Financing Activities:					
Dividends paid to preferred shareholders	(2,602)	–	–	–	(2,602)
Dividends paid to common shareholders	(16,099)	–	(275,000)	275,000	(16,099)
Proceeds from exercise of share options	6,759	–	–	–	6,759
Purchase of common shares	(252,296)	–	(15,377)	15,377	(252,296)
Proceeds from common share issuance	–	18,367	–	(18,367)	–
Net cash provided by (used in) financing activities	(264,238)	18,367	(290,377)	272,010	(264,238)
Effect of foreign currency exchange rate changes on cash	–	–	7,097	–	7,097
Net decrease in cash and cash equivalents	(16,876)	(2,813)	(110,544)	–	(130,233)
Cash and cash equivalents at beginning of year	66,325	10,468	736,224	–	813,017
Cash and cash equivalents at end of year	\$49,449	7,655	625,680	–	\$ 682,784

Condensed Consolidating Statement of Cash Flows For the year ended December 31, 2008	Platinum Holdings	Platinum Finance	Non-guarantor Subsidiaries	Consolidating Adjustments	Consolidated
Net cash provided by (used in) operating activities	\$(11,470)	(12,479)	152,848	–	\$ 128,899

Investing Activities:					
Proceeds from sale of available-for-sale securities	–	1,970	1,534,781	–	1,536,751
Proceeds from maturity or paydown of available-for-sale securities	–	2,629	960,131	–	962,760
Acquisition of available-for-sale securities	–	–	(2,557,648)	–	(2,557,648)
Proceeds from sale of preferred stock	–	–	120	–	120
Increase in short-term investments	–	–	(59,251)	–	(59,251)
Dividends from subsidiaries	305,000	–	–	(305,000)	–
Net cash provided by (used in) investing activities	305,000	4,599	(121,867)	(305,000)	(117,268)
Financing Activities:					
Dividends paid to preferred shareholders	(10,408)	–	–	–	(10,408)
Dividends paid to common shareholders	(15,770)	–	(305,000)	305,000	(15,770)
Proceeds from exercise of share options	25,941	–	–	–	25,941
Purchase of common shares	(266,561)	–	–	–	(266,561)
Net cash used in financing activities	(266,798)	–	(305,000)	305,000	(266,798)
Effect of foreign currency exchange rate changes on cash	–	–	(8,095)	–	(8,095)
Net increase (decrease) in cash and cash equivalents	26,732	(7,880)	(282,114)	–	(263,262)
Cash and cash equivalents at beginning of year	39,593	18,348	1,018,338	–	1,076,279
Cash and cash equivalents at end of year	\$66,325	10,468	736,224	–	\$ 813,017

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Platinum Underwriters Holdings, Ltd. and Subsidiaries
Notes to Consolidated Financial Statements, continued

Condensed Consolidating Statement of Cash Flows For the year ended December 31, 2007	Platinum Holdings	Platinum Finance	Non-guarantor Subsidiaries	Consolidating Adjustments	Consolidated
Net cash provided by (used in) operating activities	\$(10,170)	(12,889)	464,614	–	\$ 441,555
Investing Activities:					
Proceeds from sale of available-for-sale securities	–	4,708	243,633	–	248,341
Proceeds from maturity or paydown of available-for-sale securities	–	76	1,453,611	–	1,453,687
Acquisition of available-for-sale securities	–	–	(1,650,626)	–	(1,650,626)
Proceeds from sale of other invested asset	–	–	4,745	–	4,745
Increase in short-term investments	–	–	14,035	–	14,035
Dividends from subsidiaries	190,000	30,000	–	(220,000)	–
Net cash provided by (used in) investing activities	190,000	34,784	65,398	(220,000)	70,182
Financing Activities:					
Dividends paid to preferred shareholders	(10,408)	–	–	–	(10,408)
Dividends paid to common shareholders	(18,632)	–	(220,000)	220,000	(18,632)
Proceeds from exercise of share options	23,435	–	–	–	23,435
Purchase of common shares	(240,672)	–	–	–	(240,672)
Repayment of debt obligations	–	(42,840)	–	–	(42,840)
Net cash used in financing activities	(246,277)	(42,840)	(220,000)	220,000	(289,117)
Effect of foreign currency exchange rate changes on cash	–	–	2,007	–	2,007
Net increase (decrease) in cash and cash equivalents	(66,447)	(20,945)	312,019	–	224,627
Cash and cash equivalents at beginning of year	106,040	39,293	706,319	–	851,652
Cash and cash equivalents at end of year	\$39,593	18,348	1,018,338	–	\$ 1,076,279

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Platinum Underwriters Holdings, Ltd. and Subsidiaries
Index to Schedules to Consolidated Financial Statements

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Schedules other than those listed above are omitted for the reason that they are not applicable or the information is provided elsewhere in the consolidated financial statements.

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REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

The Board of Directors and Shareholders
Platinum Underwriters Holdings, Ltd.:

Under date of February 24, 2010, we reported on the consolidated balance sheet of Platinum Underwriters Holdings, Ltd. and subsidiaries as of December 31, 2009, and the related consolidated statements of operations and comprehensive income, shareholders' equity and cash flows for the year ended December 31, 2009, which are included in the December 31, 2009 annual report on Form 10-K. In connection with our audit of the aforementioned consolidated financial statements, we also audited the 2009 information on the related consolidated financial statement schedules appearing on pages S-4 through S-9 of the Form 10-K. These financial statement schedules are the responsibility of the Company's management. Our responsibility is to express an opinion on these financial statement schedules based on our audit.

In our opinion, such financial statement schedules, when considered in relation to the basic consolidated financial statements taken as a whole, present fairly, in all material respects, the information set forth therein.

As discussed in note 1 to the consolidated financial statements, the Company changed the manner in which it accounts for other-than-temporary impairments of debt securities in 2009.

/s/ KPMG

Hamilton, Bermuda
February 24, 2010

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REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTING FIRM

The Board of Directors and Shareholders
Platinum Underwriters Holdings, Ltd.:

Under date of February 26, 2009, we reported on the consolidated balance sheet of Platinum Underwriters Holdings, Ltd. and subsidiaries as of December 31, 2008 and the related consolidated statements of operations and comprehensive income, shareholders' equity and cash flows for each of the years in the two-year period ended December 31, 2008, which are included in the December 31, 2008 annual report on Form 10-K. In connection with our audits of the aforementioned consolidated financial statements, we also audited the 2008 and 2007 information on the related consolidated financial statement schedules appearing on pages S-5 through S-9 of the Form 10-K. These financial statement schedules are the responsibility of the Company's management. Our responsibility is to express an opinion on these financial statement schedules based on our audits.

In our opinion, such financial statement schedules, when considered in relation to the basic consolidated financial statements taken as a whole, present fairly, in all material respects, the information set forth therein.

/s/ KPMG LLP

New York, New York
February 26, 2009

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SCHEDULE I

Platinum Underwriters Holdings, Ltd. and Subsidiaries
 Summary of Investments - Other Than Investments in Related Parties
 As of December 31, 2009
 (\$ in thousands)

	Cost*	Fair Value	Amount at which shown in Balance Sheet
Fixed maturity securities:			
Bonds:			
U.S. Government and government agencies and authorities	\$1,281,213	1,274,624	\$1,274,624
State, municipalities and political subdivisions	686,316	699,039	699,039
Foreign governments	663,919	678,748	678,748
Foreign corporate	119,101	123,797	123,797
Public utilities	116,193	120,053	120,053
All other corporate	859,765	760,357	760,357
Total bonds	3,726,507	3,656,618	3,656,618
Redeemable preferred stock	-	-	-
Total fixed maturity securities	3,726,507	3,656,618	3,656,618
Preferred stock	1,879	3,897	3,897
Other long term investments	-	-	-
Short-term investments	26,350	26,350	26,350
Total investments	\$3,754,736	3,686,865	\$3,686,865

*Original cost of fixed maturities reduced by repayments and adjusted for amortization of premiums and discounts.

See accompanying report of the independent auditors.

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SCHEDULE II

Platinum Underwriters Holdings, Ltd.
(Parent Company)
Condensed Balance Sheets
December 31, 2009 and 2008
(\$ in thousands, except share data)

	2009	2008
ASSETS		
Investments in subsidiaries	\$2,023,276	\$1,736,321
Cash and cash equivalents	49,448	66,325
Other assets	13,649	14,158
Total assets	\$2,086,373	\$1,816,804
LIABILITIES AND SHAREHOLDERS' EQUITY		
Liabilities		
Other liabilities	\$8,642	\$7,407
Total liabilities	8,642	7,407
Shareholders' equity		
Preferred shares, \$.01 par value, 25,000,000 shares authorized, none and 5,750,000 shares issued and outstanding, respectively	–	57
Common shares, \$.01 par value, 200,000,000 shares authorized, 45,942,639 and 47,482,161 shares issued and outstanding, respectively	459	475
Additional paid-in capital	883,425	1,114,135
Accumulated other comprehensive loss	(70,005)	(188,987)
Retained earnings	1,263,852	883,717
Total shareholders' equity	2,077,731	1,809,397
Total liabilities and shareholders' equity	\$2,086,373	\$1,816,804

See accompanying report of the independent auditors.

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SCHEDULE II, continued

Platinum Underwriters Holdings, Ltd.
(Parent Company)
Condensed Statements of Operations
For the years ended December 31, 2009, 2008 and 2007
(\$ in thousands)

	2009	2008	2007
Revenue:			
Net investment income	\$54	1,644	\$6,449
Other income	4,724	2,390	4,167
Total revenue	4,778	4,034	10,616
Expenses:			
Operating expenses	29,640	23,937	28,693
Total expenses	29,640	23,937	28,693
Loss before income taxes	(24,862)	(19,903)	(18,077)
Income tax expense	600	600	2,400
Net loss before equity in earnings of subsidiaries	(25,462)	(20,503)	(20,477)
Equity in earnings of subsidiaries	408,753	246,743	377,455
Net income	383,291	226,240	356,978
Preferred dividends	1,301	10,408	10,408
Net income attributable to common shareholders	\$381,990	215,832	\$346,570

See accompanying report of the independent auditors.

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SCHEDULE II, continued

Platinum Underwriters Holdings, Ltd.
(Parent Company)
Condensed Statements of Cash Flows
For the years ended December 31, 2009, 2008 and 2007
(\$ in thousands)

	2009	2008	2007
Operating Activities:			
Net loss before equity in earnings of subsidiaries	\$(25,462)	(20,503)	\$(20,477)
Adjustments to reconcile net income to net cash provided in operations:			
Share-based compensation	6,865	7,057	4,895
Depreciation and amortization	403	445	269
Other, net	10,556	1,531	5,143
Net cash used in operating activities	(7,638)	(11,470)	(10,170)
Investing Activities:			
Dividends from subsidiaries	255,000	305,000	190,000
Net cash provided by investing activities	255,000	305,000	190,000
Financing Activities:			
Dividends paid to preferred shareholders	(2,602)	(10,408)	(10,408)
Dividends paid to common shareholders	(16,099)	(15,770)	(18,632)
Proceeds from exercise of share options	6,759	25,941	23,435
Purchase of common shares	(252,296)	(266,561)	(240,672)
Net cash used in financing activities	(264,238)	(266,798)	(246,277)
Net increase (decrease) in cash and cash equivalents	(16,876)	26,732	(66,447)
Cash and cash equivalents at beginning of year	66,325	39,593	106,040
Cash and cash equivalents at end of year	\$49,449	66,325	\$39,593

See accompanying report of the independent auditors.

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SCHEDULE III

Platinum Underwriters Holdings, Ltd.
 Supplementary Insurance Information
 (\$ in thousands)

Period	Deferred policy acquisition costs	Net unpaid losses and loss adjustment expenses	Net unearned premium	Other policy claims and benefits payable	Net earned premium	Net investment income	Net losses and loss adjustment expenses incurred	Amortization of deferred policy acquisition costs	Other operating expenses	Net written premiums
Year ended December 31, 2009:										
Property and										
Marine	\$6,840	470,288	32,194	528,488			250,646	48,815		\$517,011
Casualty	31,854	1,753,160	130,174	388,901			226,511	71,270		356,488
Finite Risk	1,733	111,560	7,771	19,947			1,185	13,553		24,335
Total	40,427	2,335,008	170,139	– 937,336		163,941	478,342	133,638	30,295	897,834
Year ended December 31, 2008:										
Property and										
Marine	8,816	527,844	42,739	599,110			397,200	62,889		593,087
Casualty	41,009	1,754,386	161,871	503,300			337,051	102,868		430,084
Finite Risk	894	169,815	3,383	12,386			(16,018)	16,861		14,394
Total	50,719	2,452,045	207,993	– 1,114,796		186,574	718,233	182,618	24,464	1,037,565
Year ended December 31, 2007:										
Property and										
Marine	10,779	432,268	50,002	502,291			195,398	46,330		505,010
Casualty	59,393	1,700,597	237,752	637,856			444,701	113,916		584,605
Finite Risk	336	209,320	1,375	32,941			15,388	3,809		30,192
Total	\$70,508	2,342,185	289,129	– 1,173,088		214,222	655,487	164,055	29,281	\$1,119,807

See accompanying report of the independent auditors.

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SCHEDULE IV

Platinum Underwriters Holdings, Ltd.
Reinsurance
(\$ in thousands)

Description	Direct Amount	Ceded to other companies	Assumed from other companies	Net Amount	Percentage of amount assumed to net	
Property and liability premiums written:						
Year ended December 31, 2009:						
Property and Marine	\$—	26,840	543,851	\$ 517,011	105.2	%
Casualty	—	—	356,488	356,488	100.0	%
Finite Risk	—	—	24,335	24,335	100.0	%
Total	—	26,840	924,674	897,834	103.0	%
Year ended December 31, 2008:						
Property and Marine	—	29,084	622,171	593,087	104.9	%
Casualty	—	(33)	430,051	430,084	100.0	%
Finite Risk	—	—	14,394	14,394	100.0	%
Total	—	29,051	1,066,616	1,037,565	102.8	%
Year ended December 31, 2007:						
Property and Marine	—	22,132	527,142	505,010	104.4	%
Casualty	—	306	584,911	584,605	100.1	%
Finite Risk	—	(1,942)	28,250	30,192	93.6	%
Total	\$—	20,496	1,140,303	\$ 1,119,807	101.8	%

See accompanying report of the independent auditors.

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