

Salmon Robert E  
 Form 4  
 December 10, 2009

**FORM 4** UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
 Washington, D.C. 20549

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**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 \*  
 Salmon Robert E

2. Issuer Name and Ticker or Trading Symbol  
 NetApp, Inc. [NTAP]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)  
 495 EAST JAVA DRIVE

3. Date of Earliest Transaction (Month/Day/Year)  
 12/08/2009

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)  
 Executive VP, Field Operations

(Street)  
 SUNNYVALE, CA 94089

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

(City) (State) (Zip)

**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 Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|
|                                 |                                      |  |                                | (A) or (D)  | Price   |  |   |
|                                 |                                      |  |                                | Code  | V   | Amount   |   |
| Common Stock                    | 12/08/2009                           |  | M                              | A   | \$ 14.167   | 19,696   | D   |
| Common Stock                    | 12/08/2009                           |  | M                              | A   | \$ 15.32  | 28,296   | D   |
| Common Stock                    | 12/09/2009                           |  | S                              | D   | \$ 33.3806<br><u>(1)</u>  | 19,548 <u>(2)</u>  | D   |
| Common Stock                    |                                      |  |                                |   |   | 1,320  | I by Trust1 <u>(3)</u>                                |
| Common Stock                    |                                      |  |                                |   |   | 240  | I by Trust2 <u>(4)</u>                                |

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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 (Instr. 3) | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | 5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5) | 6. Date Exercisable and Expiration Date (Month/Day/Year) | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) | Amount or Number of Shares |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|----------------------------|
| Non-Qualified Stock Option (right to buy)  | \$ 14.167  | 12/08/2009                           |  | M                              | 148   | <u>(5)</u> 01/02/2010                                    | Common Stock  | 148                        |
| Non-Qualified Stock Option (right to buy)  | \$ 15.32   | 12/08/2009                           |  | M                              | 8,600   | <u>(6)</u> 02/06/2012                                    | Common Stock  | 8,600                      |

## Reporting Owners

| Reporting Owner Name / Address                                | Relationships |           |                                |       |
|---|---------------|-----------|--------------------------------|-------|
|   | Director      | 10% Owner | Officer                        | Other |
| Salmon Robert E<br>495 EAST JAVA DRIVE<br>SUNNYVALE, CA 94089 |               |           | Executive VP, Field Operations |       |

## Signatures

By: Janice Mahoney by Power of Attorney For: Robert E. Salmon  
 12/10/2009  
 \*\*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).

The price in Column 4 is a weighted average price. The prices actually received ranged from \$33.36 to \$33.3925. The reporting person (1) will provide to the issuer, any security holder of the issuer, or the SEC staff, upon request, information regarding the number of shares sold at each price within the range.

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- (2) Non-Derivative Securities Beneficially Owned by Direct Ownership includes 548 shares of Issuer's common stock acquired on November 30, 2009 under the NetApp, Inc. Employee Stock Purchase Plan.
- (3) Shares held in trust by Robert Salmon and Patricia Mertens-Salmon, trustees to the Salmon Trust UDT 10/6/2000
- (4) Shares held in trust by Patricia Mertens-Salmon, Custodian for Michael T. Salmon UTMA CA.
- (5) Option vests with respect to 1/12 of the option shares on January 31, 2000 and the balance in a series of equal month installments over the next 11 months thereafter.  
Option vests with respect to 20% of the shares in equal monthly installments over the 12 months of service measured from the first
- (6) anniversary of the option date; 30% of the shares in equal monthly installments over the following 12 months of service; and 50% of the shares in equal monthly installments over the final 12 months of service.

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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