

POWERSECURE INTERNATIONAL, INC.

Form 8-K

September 18, 2015

**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): September 18, 2015**

**POWERSECURE INTERNATIONAL, INC.**

**(Exact name of Registrant as specified in its charter)**

**Delaware**  
**(State or other jurisdiction**

**of incorporation)**

**1-12014**  
**(Commission**

**File Number)**

**84-1169358**  
**(I.R.S Employer**

**Identification No.)**

**1609 Heritage Commerce Court, Wake Forest, North  
Carolina**

**27587**

**(Address of principal executive offices)**

**(Zip code)**

**Registrant's telephone number, including area code: (919) 556-3056**

**Not Applicable**

**(Former name or former address, if changed since last report)**

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the Registrant under any of the following provisions (see General Instruction A.2. below):

- .. 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))

**Item 8.01 Other Events.**

On September 18, 2015, PowerSecure International, Inc., a Delaware corporation (the Company), issued a press release announcing that the United States District Court for the Eastern District of North Carolina has granted the Company's motion to dismiss the purported securities class action lawsuit filed against it and certain of its executive officers. The amended complaint, filed on December 29, 2014, alleged that certain statements made by the defendants during the purported class period from August 8, 2013 through May 7, 2014 violated federal securities laws.

The purported securities class action lawsuit was dismissed with leave to amend. The federal court has given the plaintiff until October 16, 2015 to file an amended complaint. If the plaintiff chooses not to amend the complaint, the case will be dismissed with prejudice and a final judgment will be entered. If judgment is entered, the court's decision could then be appealed by the plaintiff. The company and other defendants will continue to vigorously defend against any such further proceedings.

The press release, which is filed herewith as Exhibit 99.1, contains forward-looking statements relating to the Company's future performance and other future items made within the meaning of and pursuant to the safe harbor provisions of the Private Securities Litigation Reform Act of 1995. A more thorough discussion of certain risks, uncertainties and other factors that may affect the Company is included in the Company's most recent Annual Report on Form 10-K and in subsequent reports, including the Quarterly Reports on Form 10-Q and Current Reports on Form 8-K, that the Company files or furnishes with the Securities and Exchange Commission.

**Item 9.01 Financial Statements and Exhibits.**

**(d) Exhibits**

- 99.1 Press Release of PowerSecure International, Inc., issued September 18, 2015 (Filed herewith.)

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

POWERSECURE INTERNATIONAL, INC.

By: /s/ Eric Dupont  
Eric Dupont  
Executive Vice President of Finance and  
Administration

Dated: September 18, 2015