



Edgar Filing: FINISH LINE INC /IN/ - Form 8-K

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))
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**ITEM 8.01. OTHER EVENTS**

On November 15, 2007, The Finish Line, Inc. (the “Company”) filed an answer to an amended complaint in the previously disclosed lawsuit filed by Genesco, Inc. (“Genesco”) in the Chancery Court in Nashville, Tennessee relating to the proposed acquisition of Genesco by the Company (the “Merger”). In that answer the Company notified Genesco that it claims that a “Company Material Adverse Effect” has occurred under the Agreement and Plan of Merger (the “Agreement”) dated as of June 17, 2007, among The Finish Line, Inc., Headwind, Inc., and Genesco, Inc. Service of the answer under the Tennessee Rules of Civil Procedure and the Agreement constitutes formal notice of the Company's claim under Section 6.10 of the Agreement. A Company Material Averse Effect that is not cured in accordance with the terms of the Agreement will cause a condition precedent to the Company’s obligation to close the Merger with Genesco to fail.

The Company has previously reported that UBS Loan Finance LLC and UBS Securities LLC, who have signed a commitment letter (the “Commitment Letter”) regarding the Company’s financing for its proposed acquisition of Genesco, have also taken the position that the Commitment Letter may be terminated if a Material Adverse Effect as to Genesco has occurred.

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**SIGNATURES**

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.

Date: November 15, 2007

The Finish Line, Inc.

By:

/s/ Kevin S. Wampler  
Kevin S. Wampler  
Executive Vice President–Chief Financial Officer  
and Assistant Secretary