

ARES CAPITAL CORP
Form 8-K
December 16, 2009

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) **December 15, 2009**

ARES CAPITAL CORPORATION

(Exact Name of Registrant as Specified in Charter)

| | | |
|---|-----------------------------|--------------------------------------|
| Maryland | 000-50697 | 33-1089684 |
| (State or Other Jurisdiction of Incorporation) | (Commission File Number) | (IRS Employer Identification No.) |

280 Park Avenue, 22nd Floor, Building East, New York,
(Address of Principal Executive Offices)

NY 10017
(Zip Code)

Registrant's telephone number, including area code **(212) 750-7300**

N/A

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(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))
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Item 5.03. **Amendments to Articles of Incorporation or Bylaws; Change in Fiscal Year.**

Effective as of December 15, 2009, Ares Capital Corporation (the Company) amended its charter to increase the number of shares of common stock the Company is authorized to issue from 200,000,000 to 300,000,000. The Company effected the increase by filing Articles of Amendment (the Amendment) with the State Department of Assessments and Taxation of Maryland, a copy of which is filed as Exhibit 3.1 to this report and incorporated herein by reference.

Descriptions of the Amendment in this current report are qualified in their entirety by reference to a copy of such document that is filed as Exhibit 3.1 and incorporated by reference herein.

Item 9.01. **Financial Statements and Exhibits.**

(d) Exhibits.

The following exhibits are furnished as part of this Report:

| Exhibit Number | Description |
|-----------------------|-----------------------|
| 3.1 | Articles of Amendment |

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.

ARES CAPITAL CORPORATION

Date: December 16, 2009

| | |
|--------|-------------------------|
| By: | /s/ Richard S. Davis |
| Name: | Richard S. Davis |
| Title: | Chief Financial Officer |

Exhibit Index

| Exhibit Number | Description |
|-----------------------|-----------------------|
| 3.1 | Articles of Amendment |