

Edgar Filing: FRIEDMANS INC - Form 8-K

FRIEDMANS INC  
Form 8-K  
December 06, 2004

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, DC 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 6, 2004  
(December 2, 2004)

Friedman's Inc.  
(Exact Name of Registrant as Specified in its Charter)

Delaware (State or Other Jurisdiction of Incorporation)	0-22356 (Commission File Number)	58-20583 (IRS Employer Identification No.)
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171 Crossroads Parkway  
Savannah, Georgia 31422  
(Address of Principal Executive Offices)

(912) 233-9333  
(Registrant's telephone number,  
including area code)

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:

- 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 1.01. Entry into a Material Definitive Agreement.

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On December 2, 2004, Friedman's Inc. (the "Company") and certain of its subsidiaries (collectively, the "Borrowers") entered into the Second Amendment to Second Amended and Restated Credit Agreement (as amended, the "Credit Facility"), by and between the Borrowers, Jewelry Investors II, L.L.C., as Term Agent, and Jewelry Investors II, as Term Lender (the "Second Amendment"). The Second Amendment amends the Credit Facility to revise certain financial covenants relating to the term loan portion of the credit facility and, in particular, reduces the minimum cumulative EBITDA requirements for the two month period ending November 27, 2004 and the required minimum ratio of Accounts Payable to Inventory as of November 27, 2004.

The foregoing description of the Second Amendment is qualified in its entirety by reference to the Second Amendment, a copy of which is included with this Current Report on Form 8-K as Exhibit 10.1 and is incorporated by reference into this Item.

### Item 8.01. Other Events.

On December 3, 2004, the Company issued a press release announcing that it had reached an agreement with its senior term lender to amend its Credit Facility. The text of the press release is included as Exhibit 99.1 to this Current Report on Form 8-K and is incorporated by reference into this Item.

### Item 9.01. Financial Statements and Exhibits.

#### (c) Exhibits.

The following exhibits are filed as part of this report:

Exhibit Number -----	Description -----
Exhibit 10.1	Second Amendment to Second Amended and Restated Credit Agreement, dated December 2, 2004, by and between Friedman's, Inc., each of its subsidiaries party thereto, Jewelry Investors II, L.L.C., as Term Agent, and Jewelry Investors II, as Term Lender
Exhibit 99.1	Press release dated December 3, 2004

### 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.

FRIEDMAN'S INC.

Date: December 6, 2004

By: /s/ C. Steven Moore

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C. Steven Moore  
Chief Administrative Officer  
and General Counsel

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EXHIBIT INDEX

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