

FINISAR CORP  
Form 8-K  
September 09, 2008

**UNITED STATES**

**SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

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**FORM 8-K**

**CURRENT REPORT**

Pursuant to Section 13 or 15(d) of the  
Securities Exchange Act of 1934.

**Date of Report: September 08, 2008**  
**(Date of earliest event reported)**

**Finisar Corporation**  
**(Exact name of registrant as specified in its charter)**  
**CA**  
**(State or other jurisdiction**  
**of incorporation) 000-27999**  
**(Commission File Number) 94-3038428**  
**(IRS Employer**  
**Identification Number)**  
**1389 Moffett Park Drive**  
**(Address of principal executive offices) 94089**  
**(Zip Code)**  
**408-548-1000**  
**(Registrant's telephone number, including area code)**  
**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:

- 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))

o Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

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**Item 2.02. Results of Operations and Financial Condition**

On September 8, 2008, Finisar Corporation ("Finisar") issued a press release announcing its financial results for the first fiscal quarter ended August 3, 2008. A copy of the press release relating to the financial results is attached hereto as Exhibit 99.1.

In accordance with General Instruction B.2 of Form 8-K, the information in this Current Report on Form 8-K, including Exhibit 99.1, shall not be deemed to be "filed" for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the "Exchange Act"), or otherwise subject to the liability of that section, and shall not be incorporated by reference into any registration statement or other document filed under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such filing.

**Item 9.01. Financial Statements and Exhibits**

**(a) Financial statements:**

None

**(b) Pro forma financial information:**

None

**(c) Shell company transactions:**

None

**(d) Exhibits**

99.1 Press Release of Finisar Corporation dated September 08, 2008

Exhibit 99.1 shall not be deemed "filed" for purposes of the Securities Exchange Act of 1934, nor shall it be deemed incorporated by reference in any filing under the Securities Act of 1933, except as expressly set forth by specific reference in such filing.

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**SIGNATURE**

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.

Dated: September 08, 2008  
**FINISAR CORPORATION**

By: /s/ Steve Workman  
Steve Workman  
Sr. VP Finance and CFO

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**Exhibit Index** **Exhibit No. Description** 99.1 Press Release of Finisar Corporation dated September 08, 2008