

Depatie Michael A.  
Form 4  
September 13, 2018

**FORM 4**

UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

OMB APPROVAL

OMB Number: 3235-0287  
Expires: January 31, 2015  
Estimated average burden hours per response... 0.5

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
Depatie Michael A.

2. Issuer Name and Ticker or Trading Symbol  
JAMBA, INC. [JMBA]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)  
3001 DALLAS PARKWAY, SUITE 140

3. Date of Earliest Transaction (Month/Day/Year)  
09/13/2018

Director  10% Owner  
 Officer (give title below)  Other (specify below)

(Street)

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
 Form filed by More than One Reporting Person

FRISCO, TX 75034

(City) (State) (Zip)

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Ownership (Instr. 4)
				(A) or (D)	Price		
Common Stock	09/13/2018		D	39,291	D \$ 13 0	D	

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

**Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.**

SEC 1474 (9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**

## Edgar Filing: Depatie Michael A. - Form 4

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)	8. Amount or Number of Shares
Stock Option (right to buy)	\$ 11.1	09/13/2018		D	2,500	<u>(1)</u> 11/12/2020	Common Stock	2,500
Stock Option (right to buy)	\$ 11.975	09/13/2018		D	5,000	<u>(2)</u> 05/19/2021	Common Stock	5,000

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
Depatie Michael A. 3001 DALLAS PARKWAY SUITE 140 FRISCO, TX 75034	X			

## Signatures

/s/ Josh Nicosia, as attorney-in-fact for Michael A. Depatie 09/13/2018

\*\*Signature of Reporting Person
Date

## Explanation of Responses:

\* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

(1) The option, providing for vesting in two equal installments of 50% as of the close of business on February 10, 2011 and the remainder 50% upon the completion of the Company's 2011 annual stockholders meeting, and therefore already fully vested, was cancelled at the effective time of the merger between Jay Merger Sub, Inc. and the Issuer in exchange for a cash payment per share subject to the option determined by the difference between the \$13 merger consideration per share and the exercise price of the option.

(2) The option, providing for vesting of one-fourth of the shares subject to the option on each of August 19, 2011, November 19, 2011, February 19, 2012, and May 19, 2012 or the date of the Company's 2012 annual meeting of stockholders, and therefore already fully vested, was cancelled at the effective time of the merger between Jay Merger Sub, Inc. and the Issuer in exchange for a cash payment per share subject to the option determined by the difference between the \$13 merger consideration per share and the exercise price of the option.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

## Edgar Filing: Depatie Michael A. - Form 4

Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.