

NEWTEK BUSINESS SERVICES, INC.

Form 8-K

October 31, 2012

**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**

**October 31, 2012 (October 31, 2012)**

**Date of Report (date of Earliest Event Reported)**

**NEWTEK BUSINESS SERVICES, INC.**

**(Exact Name of Company as Specified in its Charter)**

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(State or Other Jurisdiction of  
Incorporation or Organization)

(Commission  
File No.)

(I.R.S. Employer  
Identification No.)

212 West 35<sup>th</sup> Street, Second Floor, New York, NY 10001

(Address of principal executive offices and zip code)

(212) 356-9500

(Company's telephone number, including area code)

(Former name or former address, if changed from 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))

**Forward-Looking Statements**

Statements in this Current Report on Form 8-K (including the exhibits), including statements regarding Newtek Business Services, Inc. (the Company) beliefs, expectations, intentions or strategies for the future, may be forward-looking statements under the Private Securities Litigation Reform Act of 1995. All forward-looking statements involve a number of risks and uncertainties that could cause actual results to differ materially from the plans, intentions and expectations reflected in or suggested by the forward-looking statements. Such risks and uncertainties include, among others, intensified competition, operating problems and their impact on revenues and profit margins, anticipated future business strategies and financial performance, anticipated future number of customers, business prospects, legislative developments and similar matters. Risk factors, cautionary statements and other conditions which could cause Newtek's actual results to differ from management's current expectations are contained in Newtek's filings with the Securities and Exchange Commission. Newtek undertakes no obligation to update any forward-looking statement contained herein to reflect events or circumstances that may arise after the date of this filing.

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

On October 31, 2012, Newtek Business Services, Inc. (the Company) issued a press release entitled "Newtek Business Services, Inc. Reports Third Quarter 2012 Pretax Income of \$2.9 Million and EPS of \$0.04 Per Diluted Share; Improves 2012 EPS Midpoint Guidance from \$0.12 Per Diluted Share to \$0.13 Per Diluted Share; and Issues 2013 EPS Midpoint Guidance of \$0.17 Per Diluted Share and Midpoint Revenue of \$147.0 Million" (the Press Release). A copy of the Press Release is furnished as Exhibit 99.1 to this Current Report on Form 8-K. The information in this report shall not be deemed filed for purposes of Section 18 of the Securities Exchange Act of 1934, as amended, or otherwise subject to the liabilities of that Section, and shall not be incorporated by reference into any registration statement pursuant to the Securities Act of 1933, as amended.

**Item 9.01. Financial Statements and Exhibits.  
(d) Exhibits.**

Exhibit Number	Description
99.1	Press Release, dated October 31, 2012, issued by the Company entitled "Newtek Business Services, Inc. Reports Third Quarter 2012 Pretax Income of \$2.9 Million and EPS of \$0.04 Per Diluted Share; Improves 2012 EPS Midpoint Guidance from \$0.12 Per Diluted Share to \$0.13 Per Diluted Share; and Issues 2013 EPS Midpoint Guidance of \$0.17 Per Diluted Share and Midpoint Revenue of \$147.0 Million".

**SIGNATURES**

In accordance with the requirements of the Securities Exchange Act of 1934, the registrant has caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

**NEWTEK BUSINESS SERVICES, INC.**

Date: October 31, 2012

/s/ Barry Sloane  
Barry Sloane  
Chairman of the Board and Chief Executive Officer

**EXHIBIT INDEX**

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