

AMCON DISTRIBUTING CO
Form 8-K
July 27, 2016

**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 ACT OF 1934**

Date of Report (Date of earliest event reported) July 27, 2016

AMCON DISTRIBUTING COMPANY

(Exact name of registrant as specified in its charter)

| | | |
|---|-----------------------------|--------------------------------------|
| Delaware | 1-15589 | 47-0702918 |
| (State or other jurisdiction of incorporation) | (Commission File Number) | (IRS Employer Identification No.) |

7405 Irvington Road, Omaha NE 68122
(Address of principal executive offices) (Zip
Code)

402-331-3727
(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)

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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 8.01 OTHER EVENTS

On July 27, 2016, AMCON Distributing Company issued a press release announcing among other things that holders of its Series A Convertible Preferred Stock and Series B Convertible Preferred Stock converted their entire holdings into 82,481 and 16,226 common shares of the Company, respectively. After these conversions, the Company has 685,892 common shares issued and outstanding.

The information in this report (including the exhibit) shall not be deemed to be "filed" for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended, or otherwise subject to the liabilities of that Section. The information set forth in this report (including the exhibit) shall not be incorporated by reference into any registration statement or other document pursuant to the Securities Act of 1933, as amended, except as shall be expressly set forth by specific reference in such filing.

ITEM 9.01 FINANCIAL STATEMENTS AND EXHIBITS

| <u>EXHIBIT</u> | <u>DESCRIPTION</u> |
|-----------------------|---------------------------|
| <u>NO.</u> | |

| | |
|------|---|
| 99.1 | Press release, dated July 27, 2016, issued by AMCON Distributing Company announcing that holders of its Series A Convertible Preferred Stock and Series B Convertible Preferred Stock have converted their entire holdings into common shares of the Company. |
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SIGNATURE

Pursuant to the requirements of the Securities and Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

AMCON
DISTRIBUTING
COMPANY
(Registrant)

Date: July 27, 2016 /s/ Andrew C.
Plummer

Name: Andrew
C.
Plummer
Title: Vice
President
& Chief
Financial
Officer