

# OPEXA THERAPEUTICS, INC.

## FORM 8-K (Current report filing)

Filed 09/20/07 for the Period Ending 09/19/07

|             |                                                         |
|-------------|---------------------------------------------------------|
| Address     | 2635 TECHNOLOGY FOREST BLVD.<br>THE WOODLANDS, TX 77381 |
| Telephone   | (281) 272-9331                                          |
| CIK         | 0001069308                                              |
| Symbol      | OPXA                                                    |
| SIC Code    | 2834 - Pharmaceutical Preparations                      |
| Industry    | Biotechnology & Drugs                                   |
| Sector      | Healthcare                                              |
| Fiscal Year | 12/31                                                   |

# OPEXA THERAPEUTICS, INC.

## FORM 8-K (Current report filing)

Filed 9/20/2007 For Period Ending 9/19/2007

|             |                                                            |
|-------------|------------------------------------------------------------|
| Address     | 2635 N. CRESCENT RIDGE DRIVE<br>THE WOODLANDS, Texas 77381 |
| Telephone   | (281) 272-9331                                             |
| CIK         | 0001069308                                                 |
| Industry    | Biotechnology & Drugs                                      |
| Sector      | Healthcare                                                 |
| Fiscal Year | 12/31                                                      |

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**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 (Date of earliest event reported): September 19, 2007

**Opexa Therapeutics, Inc.**

(Exact Name of Registrant as Specified in Its Charter)

Texas

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(State or Other Jurisdiction of Incorporation)

001-33004

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(Commission File Number)

76-0333165

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

2635 N. Crescent Ridge Drive  
The Woodlands, Texas

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(Address of Principal Executive Offices)

77381

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(Zip Code)

Registrant's telephone number, including area code: (281) 272-9331

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))

**Item 5.02. Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.**

On September 19, 2007, the board of directors appointed Lorin Jeffry (Jeff) Randall to the Board of Directors. Mr. Randall was also appointed to the board's audit committee replacing Dr. David Hung, who resigned from the audit committee, but remains a member of the board of directors.

From 2004 to 2006, Mr. Randall was senior vice president - chief financial officer of Eximias Pharmaceutical Corporation, a development stage provider of oncology therapeutics. From 2002-2004, Mr. Randall held the same position at i-STAT Corporation, a manufacturer of medical diagnostic devices, which was acquired by Abbott Laboratories in 2004. His career also included senior management positions at CFM Technologies, a semiconductor manufacturing equipment company; Greenwich Pharmaceutical Corporation, a development stage provider of immune system disease therapeutics; and Surgilase, a provider of surgical lasers to hospitals and clinics. Mr. Randall received a B.S. in accounting from The Pennsylvania State University and an M.B.A. from Northeastern University.

Mr. Randall has not been involved with a related transaction or relationship as defined by Item 404(a) of Regulation S-B with the Company.

A copy of the press release is attached as Exhibit 99.1.

**Item 9.01 Financial Statements and Exhibits**

(c) Exhibit 99.1

The following exhibit is to be filed as part of this 8-K:

| Exhibit No.<br>----- | Description<br>-----                    |
|----------------------|-----------------------------------------|
| 99.1                 | Press release issued September 20, 2007 |

**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.

**OPEXA THERAPEUTICS, INC.**

By: /s/ David B. McWilliams

-----  
David B. McWilliams, Chief Executive Officer

DATE: September 19, 2007

## EXHIBIT INDEX

| Exhibit No.<br>----- | Description<br>-----                    |
|----------------------|-----------------------------------------|
| 99.1                 | Press release issued September 20, 2007 |

**Opexa Appoints Lorin J. Randall to Board of Directors**

THE WOODLANDS, Texas--(BUSINESS WIRE)--Sept. 20, 2007--Opexa Therapeutics, Inc. (NASDAQ:OPXA), a company dedicated to the development and commercialization of cell therapies, has announced that Lorin Jeffry (Jeff) Randall has joined its board of directors, bringing the number of directors to six. Mr. Randall will also serve as a member of the audit committee. Dr. Hung will resign from the audit committee, but remain a member of the board of directors.

Mr. Randall brings to Opexa extensive biotechnology senior financial management experience. From 2004 to 2006, Mr. Randall was senior vice president - chief financial officer of Eximias Pharmaceutical Corporation, a development stage provider of oncology therapeutics. From 2002-2004, Mr. Randall held the same position at i-STAT Corporation, a manufacturer of medical diagnostic devices, which was acquired by Abbott Laboratories in 2004. His career also included senior management positions at CFM Technologies, a semiconductor manufacturing equipment company; Greenwich Pharmaceutical Corporation, a development stage provider of immune system disease therapeutics; and Surgilase, a provider of surgical lasers to hospitals and clinics.

Mr. Randall received a B.S. in accounting from The Pennsylvania State University and an M.B.A. from Northeastern University.

David B. McWilliams, chief executive officer of Opexa, commented, "Jeff has impressive and broad experience in managing both the financial and operational aspects of publicly traded companies. His skills and experience will provide us with helpful perspective as we build our business."

**About Opexa Therapeutics**

Opexa Therapeutics develops and commercializes cell therapies to treat autoimmune diseases such as multiple sclerosis, rheumatoid arthritis, and diabetes. The Company is focused on autologous cellular therapy applications of its proprietary T-cell and stem cell therapies. The Company's lead product, Tovaxin(TM), a T-cell therapy for multiple sclerosis, is in Phase IIb trials. The Company holds the exclusive worldwide license for adult multipotent stem cells derived from mononuclear cells of peripheral blood. The technology allows large quantities of monocyte derived stem cells to be produced efficiently for use in autologous therapy, thus circumventing the threat of rejection. The Company is in preclinical development for diabetes mellitus. For more information, visit the Opexa Therapeutics website at [www.opexatherapeutics.com](http://www.opexatherapeutics.com).

**Safe Harbor Statement**

This press release contains "forward-looking statements," including statements about Opexa Therapeutics' growth and future operating results, discovery and development of products, strategic alliances and intellectual property, as well as other matters that are not historical facts or information. These forward-looking statements are based on management's current assumptions and expectations and involve risks, uncertainties and other important factors, specifically including those relating to Opexa Therapeutics' ability to obtain additional funding, develop its stem cell technologies, achieve its operational objectives, and obtain patent protection for its discoveries, that may cause Opexa Therapeutics' actual results to be materially different from any future results expressed or implied by such forward-looking statements. Opexa Therapeutics undertakes no obligation to update or revise any such forward-looking statements, whether as a result of new information, future events or otherwise.

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Opexa Therapeutics, Inc.

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