

SPECTRUM PHARMACEUTICALS INC

Form POS AM

May 16, 2003

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As filed with the Securities and Exchange Commission on May 16, 2003

Registration No. 333-53108

**SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549**

**POST-EFFECTIVE AMENDMENT NO. 1
TO
FORM S-3
REGISTRATION STATEMENT
UNDER
THE SECURITIES ACT OF 1933**

SPECTRUM PHARMACEUTICALS, INC.

(Exact name of registrant as specified in its charter)

Delaware
(State or Other Jurisdiction of
Incorporation of Organization)

93-0979187
(I.R.S. Employer
Identification Number)

**157 Technology Drive
Irvine, California 92618**
(Address, including Zip Code, Telephone Number,
including Area Code, of Registrant's Principal Executive Offices)

**Rajesh C. Shrotriya, MD
Chief Executive Officer
157 Technology Drive
Irvine, California 92618
(949) 788-6700**
(Name, Address, including Zip Code, and Telephone Number,
including Area Code, of Agent for Service)

Copy to:

**Alan W. Pettis
Latham & Watkins LLP
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
(714) 540-1235**

Approximate date of commencement of proposed sale to the public: Not Applicable.

If the only securities being registered on this Form are being offered pursuant to dividend or interest reinvestment plans, please check the following box. ☐

If any of the securities being registered on this Form are to be offered on a delayed or continuous basis pursuant to Rule 415 under the Securities Act of 1933, other than securities offered only in connection with dividend or interest reinvestment plans, check the following box. ☐

If this form is filed to register additional securities for an offering pursuant to Rule 462(b) under the Securities Act, please check the following box and list the Securities Act registration statement number of the earlier effective registration statement for the same offering. ☐

If this form is a post-effective amendment filed pursuant to Rule 462(c) under the Securities Act, check the following box and list the Securities Act registration statement number of the earlier effective registration statement for the same offering. ☐

If delivery of the prospectus is expected to be made pursuant to Rule 434, please check the following box. ☐

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REMOVAL OF SECURITIES FROM REGISTRATION

On January 2, 2001, Spectrum Pharmaceuticals, Inc. (Spectrum) filed a registration statement on Form S-3 (No. 333-53108) which was amended by Amendment No. 1 filed on January 24, 2001 (collectively, the Registration Statement) to register for issuance \$50,000,000 of its Debt Securities, Common Stock, Preferred Stock, Depositary Shares representing Preferred Stock, and Warrants. The Registration Statement was declared effective on January 26, 2001. \$45,683,810.70 of its Common Stock and Warrants were sold under the Registration Statement.

In accordance with the undertaking contained in the Registration Statement pursuant to Item 512(a)(3) of Regulation S-K, Spectrum respectfully requests that the Securities and Exchange Commission remove from registration the \$4,316,189.30 of its Debt Securities, Common Stock, Preferred Stock, Depositary Shares representing Preferred Stock, and Warrants that remain unsold under the Registration Statement as of the date of filing of this Post-Effective Amendment No. 1. The Registration Statement is hereby amended, as appropriate, to reflect the deregistration of such Debt Securities, Common Stock, Preferred Stock, Depositary Shares representing Preferred Stock, and Warrants.

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Pursuant to the requirements of the Securities Act of 1933, as amended, the registrant has duly caused this Post-Effective Amendment No. 1 to the Registration Statement to be signed on its behalf by the undersigned, thereunto duly authorized, in the City of Irvine, State of California, on May 16, 2003.

SPECTRUM PHARMACEUTICALS, INC.
a Delaware corporation

By: /s/ Rajesh C. Shrotriya

Rajesh C. Shrotriya, MD
Chairman, Chief Executive Officer and President

Pursuant to the requirements of the Securities Act of 1933, as amended, this Post-Effective Amendment No. 1 to the Registration Statement has been signed by the following persons in the capacities and on the dates indicated.

Signature	Title	Date
<u>/s/ Rajesh C. Shrotriya</u>	Chairman, Chief Executive Officer,	May 16, 2003
Rajesh C. Shrotriya, M.D.	President and Director (principal executive officer)	
<u>/s/ John L. McManus</u>	Vice President Finance and Strategic Planning (principal financial officer)	May 16, 2003
John L. McManus		
<u>/s/ Michael P. McManus</u>	Controller (principal accounting officer)	May 16, 2003
Michael P. McManus		
<u>/s/ Mark J. Glasky</u>	Director	May 16, 2003
Mark J. Glasky		
<u>/s/ Ann C. Kessler</u>	Director	May 16, 2003
Ann C. Kessler, Ph.D.		
<u>/s/ Armin M. Kessler</u>	Director	May 16, 2003
Armin M. Kessler		
<u>/s/ Eric L. Nelson</u>	Director	May 16, 2003
Eric L. Nelson, Ph.D.		
<u>/s/ Carol O Cleiracain</u>	Director	May 16, 2003
Carol O Cleiracain, Ph.D.		

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/s/ Paul H. Silverman

Director

May 16, 2003

Paul H. Silverman, Ph.D., D.Sc

/s/ Julius A. Vida

Director

May 16, 2003

Julius A. Vida, Ph.D.