

MORIARTY DENNIS M
Form 4
February 09, 2009

FORM 4

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

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

OMB APPROVAL

OMB
Number: 3235-0287
Expires: January 31,
2005
Estimated average
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(Print or Type Responses)

1. Name and Address of Reporting Person *
MORIARTY DENNIS M

(Last) (First) (Middle)

**C/O DIEBOLD,
INCORPORATED, 5995 MAYFAIR
ROAD**

(Street)

NORTH CANTON, OH 44720

(City) (State) (Zip)

2. Issuer Name **and** Ticker or Trading
Symbol
DIEBOLD INC [DBD]

3. Date of Earliest Transaction
(Month/Day/Year)
02/05/2009

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

5. Relationship of Reporting Person(s) to
Issuer

(Check all applicable)

____ Director ____ 10% Owner
__X__ Officer (give title below) ____ Other (specify below)
SVP,GlobalSecurityDivision

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

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 Indirect Beneficial Ownership (Instr. 4)
Common Stock				(A) or (D)	Price		
			Code	V	Amount		
Common Stock	02/05/2009		A		800 ⁽²⁾	A	\$ 22.86
Common Stock	02/05/2009		F		405 ⁽²⁾	D	\$ 22.86
						2,060	I
							401(k) ⁽¹⁾
						21,088	D
						20,683 ⁽³⁾	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
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SEC 1474
(9-02)

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

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)
				Code	V (A) (D)	Date Exercisable Expiration Date	Title Amount or Number of Shares
Non-Qualified Stock Option	\$ 22.88					01/27/2001 01/26/2010	Common Stock 4,000
Non-Qualified Stock Option	\$ 28.69					02/07/2002 02/06/2011	Common Stock 8,000
Non-Qualified Stock Option	\$ 36.59					02/06/2003 02/05/2012	Common Stock 8,000
Non-Qualified Stock Option	\$ 36.31					02/05/2004 02/04/2013	Common Stock 10,000
Non-Qualified Stock Option	\$ 53.1					02/11/2005 02/10/2014	Common Stock 7,000
Non-Qualified Stock Option	\$ 55.23					02/10/2006 02/09/2015	Common Stock 7,500
Non-Qualified Stock Option	\$ 39.43					02/20/2007 02/19/2016	Common Stock 10,000
Non-Qualified Stock Option	\$ 47.27					02/14/2008 02/13/2017	Common Stock 9,500
Non-qualified Stock Option	\$ 25.53					02/13/2009 02/12/2018	Common Stock 9,500

Reporting Owners

Reporting Owner Name / Address	Relationships
	Director 10% Owner Officer Other
MORIARTY DENNIS M C/O DIEBOLD, INCORPORATED 5995 MAYFAIR ROAD	SVP, Global Security Division

NORTH CANTON, OH 44720

Signatures

J. Wm. Sekula, Att'y.-in-fact for Dennis M.
Moriarty

02/09/2009

__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) Number of 401(k) shares owned as of most recent statement; fractional shares omitted.
- (2) Reflects delivery of performance shares earned for performance period 2/6/2002-2/5/2009 under the 1991 Equity and Performance Incentive Plan, as amended, and withholding of shares pursuant to tax withholding right.
- (3) Number includes restricted stock units and shares acquired under the Diebold, Incorporated Employee Stock Purchase Plan

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

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