

Springate Wayne S.
Form 4
June 05, 2009

FORM 4

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

OMB APPROVAL

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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

(Print or Type Responses)

1. Name and Address of Reporting Person *
Springate Wayne S.

2. Issuer Name and Ticker or Trading Symbol
HEMISPHERX BIOPHARMA INC
[HEB]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

1017 N. ORIANNA

(Street)

3. Date of Earliest Transaction
(Month/Day/Year)
01/31/2009

____ Director
____ Officer (give title below) 10% Owner
____ Other (specify below)
Vice President of Operations

PHILADELPHIA, PA 19123

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

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

(City) (State) (Zip)

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 Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|-----------------------------------|
| | | | Code | V | Amount | (D) | Price |
| Incentive shares ⁽¹⁾ | 01/31/2009 | | A | | 46,473 | A | \$ 0.13 ⁽²⁾ |
| Incentive shares ⁽¹⁾ | 02/28/2009 | | A | | 42,789 | A | \$ 0.15 ⁽²⁾ |
| Incentive shares ⁽¹⁾ | 03/31/2009 | | A | | 44,172 | A | \$ 0.14 ⁽²⁾ |
| Incentive shares ⁽¹⁾ | 04/30/2009 | | A | | 35,427 | A | \$ 0.18 |

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- (2) The price of these shares has been computed in accordance with the stock for pay program which has been described in the 2008 10k filed on 3/16/2009.

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