

BRANTLEY CAPITAL CORP

Form 8-K

March 03, 2004

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**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 Exchange Act of 1934

Date of Report (Date of earliest event reported):

February 27, 2004

**BRANTLEY CAPITAL CORPORATION**  
(Exact name of registrant as specified in its charter)

**Maryland**  
(State or other  
jurisdiction  
of incorporation)

**000-21251**  
(Commission File  
Number)

**34-1838462**  
(I.R.S. Employer  
Identification No.)

**3201 Enterprise Parkway  
Suite 350  
Cleveland, OH 44122**

(Address of principal executive offices and zip code)

Registrant's telephone number, including area code: **(216) 464-8400**

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**Item 5. Other Events**

On February 27, 2004, the United States District Court for the Northern District of Ohio dismissed the case of *Phillip Goldstein vs. Brantley Capital Corporation, et al* with prejudice and retained jurisdiction over the implementation of the Memorandum of Understanding between the parties. Implementation of the terms of the settlement remains subject to SEC approval through the receipt of an exemptive order. The Company has filed an application for an exemptive order with the SEC relating to the settlement; however, there can be no assurance that such order will be granted.

**Item 7. Financial Statements and Exhibits**

- (a) Not applicable.
- (b) Not applicable.
- (c) Exhibits.

99.1 Final Judgement of the United States District Court of the Northern District of Ohio entered on February 27, 2004.

**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.

Date: March 3, 2004

BRANTLEY CAPITAL CORPORATION

By: /s/ Tab A. Keplinger

Tab A. Keplinger  
Vice President and  
Chief Financial Officer