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TEREX CORP
Form 8-K/A
November 04, 2004

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UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 8-K/A

AMENDMENT NO. 2 TO
CURRENT REPORT
PURSUANT TO SECTION 13 OR 15(d) OF THE
SECURITIES EXCHANGE ACT OF 1934

Date of report (Date of earliest event reported) October 27, 2004

TEREX CORPORATION

(Exact Name of Registrant as Specified in Charter)

Delaware

1-10702

34-1531521

(State or Other Jurisdiction
of Incorporation)

(Commission
File Number)

(IRS Employer
Identification No.)

500 Post Road East, Suite 320, Westport, Connecticut

06880

(Address of Principal Executive Offices)

(Zip Code)

Registrant's telephone number, including area code (203) 222-7170

NOT APPLICABLE

(Former Name or Former Address, if Changed Since Last Report)

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))

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Item 2.02. Results of Operations and Financial Condition.

On November 4, 2004, Terex Corporation (the "Company") issued a press release revising certain historical segment results for the three and nine month periods ended September 30, 2003 as previously presented in its press release dated October 27, 2004, releasing and reviewing the Company's financial results for its fiscal quarter and nine month period ended September 30, 2004. A copy of the press release containing the corrected information is attached as Exhibit 99.1 to this Form 8-K/A. A press release dated November 4, 2004 attached to the Form 8-K/A filed previously today by the Company was not released and should be disregarded.

In addition, the Company has made available on its website, www.terex.com, a copy of its October 27, 2004 release incorporating the corrected information, as well as a document presenting its historical financial performance, by segment, on a quarterly basis, commencing with the first quarter of 2003.

Item 9.01. Financial Statements and Exhibits.

(c) Exhibits

99.1 Press release of Terex Corporation issued on November 4, 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: November 4, 2004

TEREX CORPORATION

By: /s/ Mark Cohen
Mark Cohen
Vice President and Controller