

ASTA FUNDING INC

Form NT 10-K

December 28, 2017

**UNITED STATES**

**SECURITIES AND EXCHANGE COMMISSION**

**Washington, D.C. 20549**

SEC FILE NUMBER

001-35637

**FORM 12b-25**

CUSIP NUMBER

**NOTIFICATION OF LATE FILING** [0462220109]

(Check One):    Form 10-K            Form 20-F            Form 11-K            Form 10-Q            Form 10-D  
                    Form N-SAR        Form N-CSR

For Period Ended: September 30, 2017

Transition Report on Form 10-K

Transition Report on Form 20-F

Transition Report on Form 11-K

Transition Report on Form 10-Q

Transition Report on Form N-SAR

For the Transition Period Ended:

*Read Instruction (on back page) Before Preparing Form. Please Print or Type.*

**Nothing in this form shall be construed to imply that the Commission has verified any information contained herein.**

If the notification relates to a portion of the filing checked above, identify the Item(s) to which the notification relates:

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**PART I — REGISTRANT INFORMATION**

**Asta Funding, Inc.**

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Full Name of Registrant

**Not applicable**

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Former Name if Applicable

**210 Sylvan Avenue**

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Address of Principal Executive Office (*Street and Number*)

**Englewood Cliffs, New Jersey 07632**

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City, State and Zip Code

## **PART II — RULES 12b-25(b) AND (c)**

If the subject report could not be filed without unreasonable effort or expense and the registrant seeks relief pursuant to Rule 12b-25(b), the following should be completed. (Check box if appropriate)

- (a) The reasons described in reasonable detail in Part III of this form could not be eliminated without unreasonable effort or expense;  
The subject annual report, semi-annual report, transition report on Form 10-K, Form 20-F, Form 11-K, Form N-SAR or Form N-CSR, or portion thereof, will be filed on or before the fifteenth calendar day following the prescribed due date; or the subject quarterly report or transition report on Form 10-Q or subject distribution report on Form 10-D, or portion thereof, will be filed on or before the fifth calendar day following the prescribed due date; and
- (c) The accountant's statement or other exhibit required by Rule 12b-25(c) has been attached if applicable.

## **PART III — NARRATIVE**

State below in reasonable detail why Forms 10-K, 20-F, 11-K, 10-Q, 10-D, N-SAR, N-CSR, or the transition report or portion thereof, could not be filed within the prescribed time period.

As disclosed in Asta Funding, Inc's (the "Company") Current Report on Form 8-K filed with the Commission on December 19, 2017, the Company completed its sale of its wholly owned subsidiary CBC Settlement Funding, LLC on December 13, 2017. The Company is filing for additional time to finalize the Annual Report on Form 10-K (the "Annual Report") due to the complex process required to prepare the Company's condensed consolidated financial statements, as well as the significant demands related to the sale that diverted management's time and resources from the Company's normal process of preparing and reviewing the Annual Report. As a result, the Company is still in the process of compiling required information to complete the Annual Report, and its Independent Registered Public

Accounting Firm requires additional time to complete its audit of the financial statements for the for the year ended September 30, 2017. The Company anticipates that it will file the Annual Report no later than the fifteenth calendar day following the prescribed due date.

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**PART IV — OTHER INFORMATION**

(1) Name and telephone number of person to contact in regard to this notification.

Bruce R. Foster (201) 567-5648  
(Name) (Area Code) (Telephone Number)

Have all other periodic reports required under Section 13 or 15(d) of the Securities Exchange Act of 1934 or  
(2) Section 30 of the Investment Company Act of 1940 during the preceding 12 months or for such shorter period that  
the registrant was required to file such report(s) been filed? If answer is no, identify report(s). Yes No

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(3) Is it anticipated that any significant change in results of operations from the corresponding period for the last fiscal  
year will be reflected by the earnings statements to be included in the subject report or portion thereof? Yes No

If so, attach an explanation of the anticipated change, both narratively and quantitatively, and, if appropriate, state  
the reasons why a reasonable estimate of the results cannot be made.

**Asta Funding, Inc.**

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(Name of Registrant as Specified in Charter)

has caused this notification to be signed on its behalf by the undersigned hereunto duly authorized.

Date December 28, 2017

By: /s/ Bruce R. Foster  
Name: Bruce R. Foster  
Title: Chief Financial Officer

INSTRUCTION: The form may be signed by an executive officer of the registrant or by any other duly authorized  
representative. The name and title of the person signing the form shall be typed or printed beneath the signature. If the  
statement is signed on behalf of the registrant by an authorized representative (other than an executive officer),  
evidence of the representative's authority to sign on behalf of the registrant shall be filed with the form.

**ATTENTION**

**Intentional misstatements or omissions of fact constitute Federal Criminal Violations (See 18 U.S.C. 1001).**