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TEREX CORP
Form 8-K
December 11, 2001

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

December 10, 2001

(Date of earliest event reported)

TEREX CORPORATION

(Exact Name of Registrant as Specified in Charter)

Delaware	1-10702	34-1531521
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(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)

(203) 222-7170

Registrant's telephone number, including area code

Not Applicable

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

Item 5. Other Events

Terex Corporation ("Terex") announced by press release today that it intends to issue approximately \$200,000,000 principal amount of Senior Subordinated Notes Due 2011 (the "Notes"). Terex intends to use the net proceeds from the offering of the Notes to prepay a portion of its existing term loans.

It is intended that Terex will offer the Notes pursuant to Rule 144A promulgated under the Securities Act of 1933, as amended (the "Act"), and that they will not initially be registered under the Act. Accordingly, the Notes will not be able to be offered or sold in the United States absent registration under the Act or an applicable exemption from the registration requirements. There can be no assurances at this time as to whether the transaction announced in the press release will occur, or as to the timing or definitive terms of such transaction.

Terex also announced today by press release that it has closed on the sale of 5.75 million shares of its common stock, which includes the exercise of the

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over-allotment granted to the underwriter of 750,000 shares. The offering, which was previously announced on December 5, 2001, was underwritten by Salomon Smith Barney. The net proceeds to Terex from the common stock offering is \$96.3 million and will be used to repay outstanding indebtedness and for general corporate purposes.

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.

TEREX CORPORATION

By: /s/ Eric I Cohen

Name: Eric I Cohen

Title: Senior Vice President

Date: December 10, 2001