

ARES CAPITAL CORP
Form 8-K
December 19, 2006

**United States
Securities and Exchange Commission**

Washington, DC 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) **December 19, 2006**

ARES CAPITAL CORPORATION

(Exact Name of Registrant as Specified in Charter)

Maryland
(State or Other Jurisdiction
of Incorporation)

333-134077
(Commission
File Number)

33-1089684
(IRS Employer
Identification No.)

280 Park Avenue, 22nd Floor, New York, NY 10017

(Address of Principal Executive Offices) (Zip Code)

Registrant's telephone number, including area code **(212) 750-7300**

N/A

(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))

Item 7.01. **Regulation FD Disclosure**

Ares Capital Corporation completed its underwritten public offering of 2,730,000 shares of its common stock on December 19, 2006, raising approximately \$ 49.7 million in net proceeds after deducting the underwriting discount and estimated offering expenses. Merrill Lynch, Pierce, Fenner & Smith Incorporated acted as the underwriter.

The Company expects to use the net proceeds to repay outstanding indebtedness and for general corporate purposes.

Item 9.01. **Financial Statements and Exhibits.**

(d) Exhibits:

Exhibit Number	Description
Not Applicable	

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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.

ARES CAPITAL CORPORATION

Date: December 19, 2006

By: /s/ Daniel F. Nguyen

Name: Daniel F. Nguyen
Title: Chief Financial Officer

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of the Subsidiary Which Acquired the Security Being Reported on by the Parent Holding Company:

Not Applicable.

Item 8.

Identification and Classification of Members of the Group:

Not Applicable.

Item 9.

Notice of Dissolution of Group:

Not Applicable.

Item 10.

Certification:

Not Applicable.

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- (1) Kirk Eye Center, S.C. (KEC) is the general partner of Kirk Family Limited Partnership (KFLP). In such capacity, KEC has voting and investment power with respect to the shares held by KFLP and, therefore, may be deemed to be the beneficial owner of the shares held by KFLP.
 - (2) Dr. Scott Kirk is an officer, director and 50% shareholder of KEC. In such capacity, Dr. Scott Kirk may be deemed to be the beneficial owner of the shares directly held by KFLP.
 - (3) Includes 74,479 shares of common stock issuable upon exercise of options that are exercisable within 60 days of December 31, 2004.
 - (4) Dr. Kent Kirk is an officer, director and 50% shareholder of KEC. In such capacity, Dr. Kent Kirk may be deemed to be the beneficial owner of the shares directly held by KFLP.

SIGNATURE

After reasonable inquiry and to the best of my knowledge and belief, I certify that the information set forth in this statement is true, complete and correct.

Date: February 11, 2005

KIRK FAMILY LIMITED PARTNERSHIP

By: Kirk Eye Center, S.C., its General Partner

By: /S/ SCOTT H. KIRK, M.D.

Its: President

SIGNATURE

After reasonable inquiry and to the best of my knowledge and belief, I certify that the information set forth in this statement is true, complete and correct.

Date: February 11, 2005

KIRK EYE CENTER, S.C.

By: /s/ SCOTT H. KIRK, M.D.

Its: President

SIGNATURE

After reasonable inquiry and to the best of my knowledge and belief, I certify that the information set forth in this statement is true, complete and correct.

Date: February 11, 2005

By: /s/ SCOTT H. KIRK, M.D.

Scott H. Kirk, M.D.

SIGNATURE

After reasonable inquiry and to the best of my knowledge and belief, I certify that the information set forth in this statement is true, complete and correct.

Date: February 11, 2005

By: /s/ KENT A. KIRK, M.D.

Kent A. Kirk, M.D.

Exhibit Index

	<u>Page No.</u>
1. Joint Filing Agreement dated February 11, 2005 by and among Kirk Family Limited Partnership, Kirk Eye Center, S.C., Scott H. Kirk, M.D.,	13

EXHIBIT 1

JOINT FILING

Kirk Family Limited Partnership, Kirk Eye Center, S.C., Scott H. Kirk, M.D. and Kent A. Kirk, M.D. agree that the Schedule 13G to which this Agreement is attached is being filed on behalf of each of Kirk Eye Center, S.C., Scott H. Kirk, M.D. and Kent A. Kirk, M.D.

Date: February 11, 2005

KIRK FAMILY LIMITED PARTNERSHIP

By: Kirk Eye Center, S.C., its General Partner

By: /s/ SCOTT H. KIRK, M.D.

Its: President

KIRK EYE CENTER, S.C.

By: /s/ SCOTT H. KIRK, M.D.

Its: President

By: /s/ SCOTT H. KIRK, M.D.

Scott H. Kirk, M.D.

By: /s/ KENT A. KIRK, M.D.

Kent A. Kirk, M.D.