

HOME DEPOT INC
Form S-8 POS
May 27, 2005

As filed with the Securities and Exchange Commission on May 27, 2005

Registration No. 333-91943

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

POST-EFFECTIVE AMENDMENT NO. 1
TO
FORM S-8

REGISTRATION STATEMENT

UNDER
THE SECURITIES ACT OF 1933

THE HOME DEPOT, INC.

(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction of
incorporation or organization)

95-3261426
(I.R.S. Employer
Identification No.)

2455 Paces Ferry Road, N.W.

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Atlanta, Georgia 30339-4024

(Address of principal executive offices) (Zip Code)

THE MAINTENANCE WAREHOUSE FUTUREBUILDER

(Full title of the plan)

Frank L. Fernandez

Executive Vice President, Secretary and General Counsel

The Home Depot, Inc.

2455 Paces Ferry Road, N.W.

Atlanta, Georgia 30339-4024

(770) 433-8211

(Name, address, including zip code, and telephone number,

including area code, of agent for service)

With a copy to:

Jonathan M. Gottsegen, Director,

Corporate and Securities Practice Group

The Home Depot, Inc.

2455 Paces Ferry Road, N.W.

Atlanta, Georgia 30339-4024

(770) 433-8211

EXPLANATORY STATEMENT: DEREGISTRATION OF SHARES

Effective as of July 1, 2004, The Home Depot, Inc. (the Registrant) merged The Maintenance Warehouse FutureBuilder (the Plan) with and into The Home Depot FutureBuilder, and all offers and sales of securities under the Plan ceased as of such date. This Post-Effective Amendment No. 1 to Registrant s Registration Statement on Form S-8 (File No. 333-91943) is filed to deregister all securities remaining unsold under the offering described in the Form S-8.

SIGNATURES

Pursuant to the requirements of the Securities Act of 1933, as amended (the Securities Act), the Registrant certifies that it has reasonable grounds to believe that it meets all of the requirements for filing this Post-Effective Amendment No. 1 on Form S-8 and has duly caused this Registration Statement to be signed on its behalf by the undersigned, thereunto duly authorized, in Atlanta, Georgia on the 25th day of May, 2005.

THE HOME DEPOT, INC.

By:

/s/ Robert L. Nardelli

Robert L. Nardelli
Chairman, President and Chief Executive Officer

Pursuant to the requirements of the Securities Act, the Administrative Committee of The Maintenance Warehouse FutureBuilder has duly caused this Post-Effective Amendment No. 1 on Form S-8 to be signed on its behalf by the undersigned, thereunto duly authorized, in Atlanta, Georgia on the 25th day of May, 2005.

THE MAINTENANCE WAREHOUSE
FUTUREBUILDER

By:

/s/ Ileana L. Connally

Ileana L. Connally
Member, Administrative Committee

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Pursuant to the requirements of the Securities Act, this Post-Effective Amendment No. 1 on Form S-8 has been signed below by the following persons on the 25th day of May, 2005, in the capacities indicated.

Signature

Title

/s/ Robert L. Nardelli

Robert L. Nardelli

Chairman, President and

Chief Executive Officer

(Principal Executive Officer)

/s/ Carol B. Tomé

Carol B. Tomé

Executive Vice President

and Chief Financial

Officer (Principal Financial

Officer and Principal

Accounting Officer)

/s/ Gregory D. Brenneman

Gregory D. Brenneman

Director

/s/ Richard H. Brown

Richard H. Brown

Director

/s/ John L. Clendenin

John L. Clendenin

Director

/s/ Berry R. Cox

Berry R. Cox

Director

/s/ Claudio X. González

Claudio X. González

Director

/s/ Milledge A. Hart, III

Milledge A. Hart, III

Director

/s/ Bonnie G. Hill

Bonnie G. Hill

Director

/s/ Laban P. Jackson, Jr.

Laban P. Jackson, Jr.

Director

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/s/ Lawrence R. Johnston

Director

Lawrence R. Johnston

/s/ Kenneth G. Langone

Director

Kenneth G. Langone

/s/ Thomas J. Ridge

Director

Thomas J. Ridge