

HERCULES OFFSHORE, INC.

Form 8-K

November 28, 2012

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

Date of Report (Date of earliest event reported): November 28, 2012

HERCULES OFFSHORE, INC.

(Exact name of registrant as specified in its charter)

Delaware

(State or other jurisdiction  
of incorporation)

0-51582

(Commission File Number)

56-2542838

(I.R.S. Employer  
Identification No.)

9 Greenway Plaza, Suite 2200

Houston, Texas

(Address of principal executive offices)

Registrant's telephone number, including area code: (713) 350-5100

77046

(Zip Code)

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

##### Fleet Status

On November 28, 2012, Hercules Offshore, Inc. (the "Company") is posting on its website at [www.herculesoffshore.com](http://www.herculesoffshore.com) a report entitled "Hercules Offshore Fleet Status Report" (the "Fleet Status Report"). The Fleet Status Report includes the Hercules Offshore Rig Fleet Status (as of November 28, 2012), which contains information for each of the Company's drilling rigs, including contract dayrate and duration. The Fleet Status Report also includes the Hercules Offshore Liftboat Fleet Status Report, which contains information by liftboat class for October 2012, including revenue per day and operating days. The Fleet Status Report is furnished as Exhibit 99.1 to this Current Report on Form 8-K and is incorporated herein by reference.

The information furnished pursuant to Item 7.01, including Exhibit 99.1, shall not be deemed to be "filed" for purposes of Section 18 of the Securities Exchange Act of 1934 and will not be incorporated by reference into any registration statement filed by the Company under the Securities Act of 1933 unless specifically identified therein as being incorporated therein by reference.

The information and statements made in the Fleet Status Report that are not historical facts are forward-looking statements within the meaning of Section 27A of the Securities Act of 1933 and Section 21E of the Securities Exchange Act of 1934. These forward-looking statements include statements concerning estimated contract expiration dates, dayrates, estimated dates for completion of repairs and upgrades and commencement dates of new contracts, as well as information that may be affected by the continued delays in obtaining drilling permits in the Gulf of Mexico. Such statements are subject to a number of risks, uncertainties and assumptions, including without limitation, early termination by the customer pursuant to the contract or otherwise, cancellation or completion of certain contracts earlier than expected, our ability to renew or extend our long-term international contracts, or enter into new contracts, when such contracts expire, the potential inability of our customers to obtain drilling permits that would cover the entire duration of our contracts in the U.S. Gulf of Mexico or otherwise satisfy regulatory requirements that may be then in effect, operational difficulties, shipyard and other delays, government and regulatory actions and other factors described in the Company's annual report on Form 10-K and its most recent periodic reports and other documents filed with the Securities and Exchange Commission, which are available free of charge at the SEC's website at [www.sec.gov](http://www.sec.gov) or the company's website at [www.herculesoffshore.com](http://www.herculesoffshore.com). The Company cautions you that forward-looking statements are not guarantees of future performance and that actual results or developments may differ materially from those projected or implied in these statements.

#### Item 8.01 Other Events

##### Recent Cash Receipt

On November 27, 2012, the Company received a cash payment of \$10.0 million from Angola Drilling Company Ltd., a customer in Angola (the "Customer"). This amount represents an installment payment on the balance owed to the Company from the Customer pursuant to a drilling contract for the Hercules 185 (the "Contract") for services provided from July 2009 through January 2011. The proceeds will be recorded as revenue in our International Offshore segment during the fourth quarter 2012. After the application of this payment, the Customer owes the Company \$44.4 million under the Contract.

##### Future Collectability

While the Company remains hopeful the Customer will fulfill its obligations under the Contract, the collectability of the balance owed remains uncertain and difficult to forecast. Accordingly, the Company does not believe this recent payment has removed the uncertainty surrounding future collectability of the outstanding balance. Consequently, at this time, the Company has not recognized any of the \$44.4 million remaining balance in the Company's financial statements.

The amount owed to the Company remains undisputed by the Customer, and the Company is continuing to vigorously pursue all commercial and legal means for collection of the outstanding balance. If the Company receives any

additional payments from the Customer, the payments will be recorded as an increase to our International Offshore segment's revenue.

Item 9.01 Financial Statements and Exhibits

(d) Exhibits

Exhibit 99.1 Hercules Offshore Fleet Status Report

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SIGNATURE

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.

HERCULES OFFSHORE, INC.

Date: November 28, 2012

By: /s/ Beau M. Thompson  
Beau M. Thompson  
General Counsel and Secretary

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EXHIBIT INDEX

Exhibit No.	Description
99.1	Hercules Offshore Fleet Status Report