

CAPSTONE TURBINE CORP

Form 8-K

December 30, 2005

**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) December 30, 2005 (December 30, 2005)  
CAPSTONE TURBINE CORPORATION  
(Exact name of registrant as specified in its charter)**

Delaware  
(State or other jurisdiction  
of incorporation)

001-15957  
(Commission file number)

95-4180883  
(I.R.S. Employer  
Identification No.)

21211 Nordhoff Street, Chatsworth, California 91311  
(Address of principal executive offices) (Zip Code)  
(818) 734-5300

(Registrant's telephone number, including area 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:

- 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)
  - Precommencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - Precommencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Section 1 Registrant's Business and Operations**

**Item 1.01. Entry into a Material Definitive Agreement.**

On December 30, 2005, Capstone Turbine Corporation ( Capstone ) entered into a Confidential Settlement Agreement and Mutual Release ( Settlement Agreement ) with Interstate Companies, Inc. ( Interstate ), whereby all disputes between Interstate and Capstone were amicably resolved. The disputes between Interstate and Capstone date back to June 2003. Pursuant to the Settlement Agreement, Capstone agreed to pay Interstate the sum of \$2,300,000 on December 30, 2005 and the parties agreed to release each other from any and all claims.

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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.

**CAPSTONE TURBINE CORPORATION**  
(Registrant)

Date: December 30, 2005

By: /s/ Walter J. McBride  
Chief Financial Officer