

AVI BIOPHARMA INC
Form 10-Q/A
April 23, 2002

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**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION**

WASHINGTON, D.C. 20549

**AMENDMENT NO. 1 TO
FORM 10-Q**

(Mark One)

**QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES
EXCHANGE ACT OF 1934**

For the quarterly period ended June 30, 2001

OR

**TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES
EXCHANGE ACT OF 1934**

For the transition period from _____ to _____

Commission file number 0-22613

AVI BioPharma, Inc.

(Exact name of registrant as specified in its charter)

Oregon
(State or other jurisdiction of incorporation or
organization)

93-0797222
(I.R.S. Employer Identification No.)

**One SW Columbia Street, Suite 1105,
Portland, Oregon**
(Address of principal executive offices)

97258
(Zip Code)

Issuer's telephone number, including area code: **503-227-0554**

Check whether the issuer (1) filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes No

Indicate the number of shares outstanding of each of the issuer's classes of common stock, as of the latest practicable date.

Common Stock with \$.0001 par value
(Class)

23,114,399
(Outstanding at July 31, 2001)

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Item 6. Exhibits and Reports on Form 8-K

(a) Exhibits: The following revised exhibits are filed herewith and this list is intended to constitute the exhibit index:

10.36* Investment Agreement dated May 22, 2001 between the Company and Medtronic Asset Management, Inc.

10.39* License and Development Agreement dated June 20, 2001 between the Company and Medtronic, Inc.

10.40* Supply Agreement dated June 20, 2001 between the Company and Medtronic, Inc.

A Confidential Treatment Request for certain information in this document has been filed with the Securities and Exchange Commission ("SEC"). Based on discussions with the SEC staff, the information for which confidential treatment has been sought has been revised with less information deleted. The exhibit is being refiled and the revised deleted text replaced by an (*).

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this amendment too the report to be signed on its behalf by the undersigned thereunto duly authorized.

Date: April 23, 2002

AVI BIOPHARMA, INC.

By: /s/ DENIS R. BURGER

Denis R. Burger, Ph.D.
Chief Executive Officer
and Chairman (of the Board of Directors)
(Principal Executive Officer)

By: /s/ MARK M. WEBBER

Mark M. Webber
Chief Financial Officer
(Principal Financial and Accounting Officer)

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