# 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): July 21, 2003

## **Encore Capital Group, Inc.**

(Exact Name of Registrant as Specified in its Charter)

#### **Delaware**

(State or other jurisdiction of incorporation or organization)

#### 000-26489

(Commission File Number)

#### 48-1090909

(I.R.S Employer Identification No.)

# 5775 Roscoe Court San Diego, California 92123

(Address of Principal Executive Offices) (Zip Code)

### (877) 445-4581

(Registrant's Telephone Number, Including Area Code)

### Item 9. Regulation FD Disclosure

On July 21, 2003 the Company issued a press release announcing the approval of its application to list its common stock on the NASDAQ National Market. A copy of the press release is attached to this Current Report on Form 8-K as Exhibit 99.1 and is incorporated herein solely for purposes of this Item 9.

The information in this Current Report on Form 8-K, including the exhibit, is furnished pursuant to Item 9 and shall not be deemed "filed" for the purposes of Section 18 of the Securities Exchange Act of 1934 or otherwise subject to the liabilities under that Section. Furthermore, the information in this Current Report on Form 8-K, including the exhibit, shall not be deemed to be incorporated by reference into the filings of Encore Capital Group, Inc. under the Securities Act of 1933.

## **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 thereunto duly authorized.

# ENCORE CAPITAL GROUP, INC.

Date: July 21, 2003

By <u>/s/ Barry R. Barkley</u>
Barry R. Barkley
Executive Vice President,
Chief Financial Officer and Treasurer

### **EXHIBIT INDEX**

Exhibit Description

99.1 Press release dated July 21, 2003.

**Contact:** Carl C. Gregory, III

President and CEO Phone: 858-309-6961

Email: carl.gregory@mcmcg.com

# NASDAQ APPROVES ENCORE FOR TRADING ON THE NASDAQ NATIONAL MARKET

### \*\*\*TRADING TO BEGIN TUESDAY\*\*\*

#### \*\*\*TRADING SYMBOL WILL BE "ECPG"\*\*\*

San Diego, California, July 21, 2003- Encore Capital Group, Inc., (OTCBB:ECPG.OB), announced today that its application to list its common stock on the NASDAQ National Market has been approved. Encore's common stock will begin trading on the NASDAQ National Market Tuesday, July 22, 2003, under the symbol ECPG.

Carl C. Gregory, III, President and CEO, said, "This is an important validation of the progress we have made over the past two years. Trading on the NASDAQ National Market will give investors a better opportunity to execute their investment decisions."

Encore is an accounts receivable management firm that specializes in purchasing charged-off and defaulted consumer debt. Among Encore's significant stockholders are Triarc Companies, Inc., Consolidated Press International Holdings Limited, and their respective affiliates.

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#### **Notes to Press Release**

The statements in this press release that are not historical facts, including most importantly, those statements preceded by, or that include, the words "may," "believes," "projects," "expects," "anticipates" or the negation thereof, or similar expressions, constitute "forward looking statements" within the meaning of the Private Securities Litigation Reform Act of 1995 (the "Reform Act"). These statements include, but are not limited to, statements regarding the benefits of a NASDAQ National Market listing, as well as assumptions relating to those matters. For all "forward-looking statements," the Company claims the protection of the safe-harbor for forward-looking statements contained in the Reform Act. Such forward-looking statements involve risks, uncertainties and other factors which may cause actual results, performance or achievements of the Company and our subsidiaries to be materially different from any future results, performance or achievements expressed or implied by such forward-looking statements. Such risks and uncertainties include:

- The Company's ability to maintain its National Market listing;
- The price of the Company's stock; and
- Changes in, or failure to comply with, government regulations and listing requirements.

Other risk factors and cautionary statements applicable to the Company are more fully described in the Company's Annual Report on Form 10-K as of and for the period ended December 31, 2002.

Forward-looking statements speak only as of the date the statement was made. They are inherently subject to risks and uncertainties, some of which the Company cannot predict or quantify. Future events and actual results could differ materially from the forward-looking statements. The Company will not undertake and specifically declines any obligation to publicly release the result of any revisions to any forward-looking statements to reflect events or circumstances after the date of such statements or to reflect the occurrence of anticipated or unanticipated events, whether as the result of new information, future events or for any other reason. In addition, it is the Company's policy generally not to make any specific projections as to future earnings, and the Company does not endorse any projections regarding future performance that may be made by third parties.

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