# 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): August 4, 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 August 4, 2003 the Company issued a press release announcing that it had arranged new financing. 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: August 4, 2003

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

#### **EXHIBIT INDEX**

Exhibit Description

99.1 Press release dated August 4, 2003.

Contact: Carl C. Gregory, III

President and CEO
Phone: 858-309-6961

Email: carl.gregory@mcmcg.com

## ENCORE CAPITAL GROUP ARRANGES NEW FINANCING

San Diego, California, August 4, 2003. Encore Capital Group, Inc. (NASDAQ:ECPG) announced today that it has closed a loan with a new institutional lender to finance four portfolios of charged off auto deficiencies and other consumer loans. This loan, for approximately \$1.8 million, is secured by the purchased assets, with no recourse to Encore. It has a fixed rate of interest, a 27 month term and no participation by the lender in the residual cash flow from these portfolios, once the loan is paid off.

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 may include, but are not limited to, projections of revenues, income or loss, estimates of capital expenditures, plans for future operations, products or services, and financing needs or plans, 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. Factors that could affect the Company's results and cause them to materially differ from those contained in the forward-looking statements include:

- the availability and cost of financing;
- our ability to purchase receivables portfolios on acceptable terms;
- our ability to recover sufficient amounts on receivables to fund operations;
- our continued servicing of receivables in our third party financing transactions;
- our ability to hire and retain qualified personnel to recover our receivables efficiently;
- changes in, or failure to comply with, government regulations; and
- the costs, uncertainties and other effects of legal and administrative proceedings.

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.