

EMERGING VISION INC

Form 4/A

April 05, 2006

# FORM 4

UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

OMB APPROVAL

OMB Number: 3235-0287  
Expires: January 31, 2005  
Estimated average burden hours per response... 0.5

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

## STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
Ross Harvey

2. Issuer Name and Ticker or Trading Symbol  
EMERGING VISION INC  
[ISEE.OB]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)  
3140 ROUTE 22 WEST  
(Street)

3. Date of Earliest Transaction (Month/Day/Year)  
07/15/2005

Director  10% Owner  
 Officer (give title below)  Other (specify below)

SOMERVILLE, NJ 08876

4. If Amendment, Date Original Filed(Month/Day/Year)  
07/19/2005

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
 Form filed by More than One Reporting Person

(City) (State) (Zip)

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

| 1. Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|
|                                 |                                      |  | Code                           | V   | Amount (A) or (D) Price   |  |   |
| Common Stock                    | 07/15/2005                           |  | P                              |   | 62,000 (3) \$ 9,920   | 1,271,511 (3)  | D   |
| Common Stock                    | 09/29/2005                           |  | P                              |   | 5,000 (3) \$ 800  | 1,500,998 (3)  | D   |
| Common Stock                    | 09/26/2005                           |  | P                              |   | 5,000 (3) \$ 800  | 1,505,998 (3)  | D   |
| Common Stock                    | 10/06/2005                           |  | P                              |   | 7,500 (3) \$ 1,200  | 1,548,498 (3)  | D   |
| Common Stock                    | 11/22/2005                           |  | J                              |   | 50,000 (1) \$ 8,000   | 1,776,513 (2)  | D   |

Edgar Filing: EMERGING VISION INC - Form 4/A

|              |            |   |               |   |          |               |   |
|--------------|------------|---|---------------|---|----------|---------------|---|
| Common Stock | 11/25/2005 | P | 1,000<br>(3)  | A | \$ 160   | 1,777,513 (3) | D |
| Common Stock | 01/11/2006 | A | 2,250<br>(3)  | A | \$ 270   | 1,800,263 (3) | D |
| Common Stock | 01/13/2006 | A | 100 (3)       | A | \$ 12    | 1,814,363 (3) | D |
| Common Stock | 02/07/2006 | P | 1,000<br>(3)  | A | \$ 120   | 1,874,005 (3) | D |
| Common Stock | 02/15/2006 | P | 25,000<br>(3) | A | \$ 3,000 | 1,906,005 (3) | D |
| Common Stock | 03/01/2006 | J | 10,000        | A | \$ 1,200 | 1,949,005 (4) | D |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

**Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.**

SEC 1474  
(9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned**  
(e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of Derivative Security (Instr. 3) | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | 5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5) | 6. Date Exercisable and Expiration Date (Month/Day/Year) | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) | 8. Price of Derivative Security (Instr. 5) | 9. Number of Derivative Securities Beneficially Owned (Instr. 5) |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--|--|
|  |  |                                      |  |                                |   | Date Exercisable   | Expiration Date   | Title                                      | Amount or Number of Shares                                       |
|  |  |                                      |  |                                |   | Code   | V (A) (D)   |  |  |

## Reporting Owners

| Reporting Owner Name / Address                            | Relationships |           |         |       |
|---|---------------|-----------|---------|-------|
|   | Director      | 10% Owner | Officer | Other |
| Ross Harvey<br>3140 ROUTE 22 WEST<br>SOMERVILLE, NJ 08876 |               | X         |         |       |

## Signatures

Harvey Ross, by Brian Alessi, his attorney  
in fact

04/05/2006

\_\_Signature of Reporting Person

Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) The original Form 4 filed on November 28, 2005 included 2 separate purchases of 50,000 shares. The reporting person only had 1 purchase of 50,000 shares.
- (2) The original Form 4 filed on November 28, 2005, mistakenly added an additional 50,000 of common shares beneficially owned by the reporting person.
- (3) The shares acquired were never filed on a Form 4. As such, the shares are now being filed by the reporting person, and the associated shares beneficially owned have been updated to reflect as if those transactions had been reported on such date.
- (4) The original Form 4 filed on March 3, 2006 mistakenly had the reporting person beneficially owning 1,890,155 shares. The reporting person actually beneficially owns 1,949,005.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.