

# WAL MART STORES INC

## FORM 8-K (Current report filing)

Filed 02/08/07 for the Period Ending 02/06/07

Address	702 SOUTHWEST 8TH ST BENTONVILLE, AR 72716
Telephone	5012734000
CIK	0000104169
Symbol	WMT
SIC Code	5331 - Variety Stores
Industry	Retail (Department & Discount)
Sector	Services
Fiscal Year	01/31

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**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, DC 20549**

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**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):  
February 6, 2007**

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**Wal-Mart Stores, Inc.**

(Exact Name of Registrant as Specified in Charter)

**Delaware**  
(State or Other Jurisdiction of Incorporation)

**001-06991**  
(Commission File Number)

**71-0415188**  
(IRS Employer Identification No.)

**702 Southwest 8th Street  
Bentonville, Arkansas 72716**  
(Address of Principal Executive Offices) (Zip code)

**Registrant's telephone number, including area code:  
(479) 273-4000**

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)
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Item 2.02. Results of Operations and Financial Conditions.**

Wal-Mart Stores, Inc. is furnishing to the Securities and Exchange Commission a press release (the "Press Release") that we issued on February 6, 2007. The Press Release included a statement relating to our financial performance for our fiscal year ended January 31, 2007.

**Item 9.01. Financial Statements and Exhibits.**

A copy of the Press Release is furnished as Exhibit 99.1 hereto.

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**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 hereunto duly authorized.

Dated: February 8, 2007

WAL-MART STORES, INC.

By: /s/ Thomas M. Schoewe  
Name: Thomas M. Schoewe  
Title: Executive Vice President  
and Chief Financial Officer

Text of Press Release



1-800-331-0085 www.walmartfacts.com

FOR IMMEDIATE RELEASE:

Contact: Sarah Clark  
1-800-331-0085**Wal-Mart Will Seek Further Appellate Review In  
Gender Class Action Lawsuit**

**BENTONVILLE, Ark.,** Feb. 6, 2007 – Wal-Mart Stores, Inc. announced that it will seek rehearing of today’s decision by a divided three-judge panel of the United States Court of Appeals for the Ninth Circuit in the case of *Betty Dukes, et al. v. Wal-Mart Stores, Inc.* Wal-Mart is entitled to ask a larger panel of judges on the Court of Appeals to rehear arguments in the case and issue a new decision.

“The Court of Appeals’ decision today is about a technical legal issue,” said Theodore J. Boutrous, Jr., partner at Gibson, Dunn & Crutcher LLP and lead counsel for Wal-Mart’s appeal. “The Court’s ruling does not address the merits of the plaintiffs’ claims, or whether their allegations are true, but rather addresses whether the case meets the technical legal requirements to move forward as a class action. This is just another step in what will be a very long process, and we are still in the early stages of the case. We are optimistic about our chances for obtaining relief from this ruling as the case progresses.

“The panel’s decision contradicts numerous decisions from the Supreme Court and the Ninth Circuit itself. Moreover, it clashes with a wave of recent decisions from federal courts around the country that have flatly rejected the district court’s approach. The plaintiffs’ lawyers persuaded the panel to accept a theory that would force employers to make decisions based on statistics, not merit, and would deny employers their basic due process rights. Wal-Mart will therefore seek rehearing of the panel’s decision and, if necessary, review by the Supreme Court,” Boutrous said.

As Judge Andrew Kleinfeld stated in his dissent, this class certification “deprives Wal- Mart of due process of law,” and is “unprecedented.” He added, “This class lacks commonality because there are no questions of fact or law common to the class.”

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“We have analyzed today’s decision by the Court of Appeals and our view of the merits of the case has not changed,” said Tom Schoewe, executive vice president and chief financial officer. “This decision will have no impact on our fiscal year 2007 financial performance and does not require the company to take any action that will increase its cost of operations.”

Susan Chambers, executive vice president of Wal-Mart’s Human Resources Division, said, “Wal-Mart has strong equal employment opportunity policies, and fosters female leadership both among its associates and in the larger business world. The claims of the six named plaintiffs simply are not representative of the experiences of women working at Wal-Mart, including my own, and today’s decision has nothing to do with whether the plaintiffs’ allegations are true.”

Wal-Mart’s efforts and achievements in the area of equal opportunity include:

- Wal-Mart was recently named one of the “50 Best Companies for Latinas to Work for in the United States” by LATINA Style Magazine. Wal-Mart was chosen because of its programs and initiatives that help Latina professional working women.
- Wal-Mart was recently named one of the “Top 40 U.S. Companies for Diversity” by Black Enterprise magazine. The publication also listed the company as one of the “10 Best Companies in Marketing Diversity.” Wal-Mart was selected because of its continued commitment to diversity, both internally and externally.
- Wal-Mart has established a \$25 million private equity fund for women and minority-owned businesses to empower entrepreneurs.
- Wal-Mart has established an Office of Diversity, which promotes diversity in recruitment and inclusive employment practices.
- Wal-Mart has established and is operating with ongoing diversity goals that are tied to the incentive bonuses for officers and salaried field managers.
- As part of its ongoing efforts to foster diversity and equal employment opportunities, Wal-Mart has established an Employment Practices Advisory Panel comprised of highly-respected national experts to work with Wal-Mart’s senior management to develop and implement progressive enhancements to equal employment opportunity and diversity initiatives.

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The U.S. Chamber of Commerce, the Employers Group, the Equal Employment Advisory Council, the Retail Industry Leaders Association and Washington Legal Foundation all filed friend-of-the-court briefs in support of Wal-Mart.

***About Wal-Mart Stores, Inc. (NYSE: WMT)***

Wal-Mart Stores, Inc. operates Wal-Mart discount stores, supercenters, Neighborhood Markets and Sam's Club locations in the United States. The Company operates in Argentina, Brazil, Canada, China, Costa Rica, El Salvador, Guatemala, Honduras, Japan, Mexico, Nicaragua, Puerto Rico and the United Kingdom. The Company's securities are listed on the New York Stock Exchange under the symbol WMT. More information about Wal-Mart can be found by visiting [www.walmartfacts.com](http://www.walmartfacts.com). Online merchandise sales are available at [www.walmart.com](http://www.walmart.com).

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