#### Edgar Filing: NEWMONT MINING CORP /DE/ - Form 4

NEWMONT MINING CORP /DE/ Form 4 November 19, 2004

#### **OMB APPROVAL** FORM 4 UNITED STATES SECURITIES AND EXCHANGE COMMISSION OMB 3235-0287 Washington, D.C. 20549 Number: Check this box January 31, Expires: if no longer 2005 STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF subject to Estimated average **SECURITIES** Section 16. burden hours per Form 4 or response... 0.5 Form 5 Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, obligations Section 17(a) of the Public Utility Holding Company Act of 1935 or Section may continue. 30(h) of the Investment Company Act of 1940 See Instruction 1(b). (Print or Type Responses) 1. Name and Address of Reporting Person \* 5. Relationship of Reporting Person(s) to 2. Issuer Name and Ticker or Trading MAHONEY THOMAS P Issuer Symbol NEWMONT MINING CORP /DE/ (Check all applicable) [NEM] (Last) (First) (Middle) 3. Date of Earliest Transaction Director 10% Owner X\_Officer (give title Other (specify (Month/Day/Year) below) below) **1700 LINCOLN STREET** 11/18/2004 Vice President (Street) 4. If Amendment, Date Original 6. Individual or Joint/Group Filing(Check Filed(Month/Day/Year) Applicable Line) \_X\_ Form filed by One Reporting Person Form filed by More than One Reporting **DENVER, CO 80203** Person (City) (State) (Zip) Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned 1.Title of 2. Transaction Date 2A. Deemed 3. 4. Securities Acquired 5. Amount of 6. Ownership 7. Nature of Security (Month/Day/Year) Execution Date, if Transaction(A) or Disposed of (D) Securities Form: Direct Indirect (Instr. 3) any Code (Instr. 3, 4 and 5) Beneficially (D) or Beneficial (Month/Day/Year) (Instr. 8) Owned Indirect (I) Ownership Following (Instr. 4) (Instr. 4) Reported (A) Transaction(s) or (Instr. 3 and 4) Code V Amount (D) Price Common Stock. \$ 39 94 11/18/2004 M 1,560 А 11,108 D \$1.60 par value Common Stock, 11/18/2004 S 1.560 D 9.548 D 49 55 \$1.60 par

\$ 40.44

11,108

D

1,560 A

Μ

Common Stock, \$1.60 par

11/18/2004

value

value

1

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Common Stock, \$1.60 par value	11/18/2004	S	1,482	D	\$ 49.49	9,626	D
Common Stock, \$1.60 par value	11/18/2004	S	78	D	\$ 49.55	9,548	D
Common Stock, \$1.60 par value	11/18/2004	М	2,000	А	\$ 25.44	11,548	D
Common Stock, \$1.60 par value	11/18/2004	S	2,000	D	\$ 49.49	9,548	D
Common Stock, \$1.60 par value	11/18/2004	М	875	A	\$ 13.22	10,423	D
Common Stock, \$1.60 par value	11/18/2004	S	875	D	\$ 49.25	9,548	D
Common Stock, \$1.60 par value	11/18/2004	М	625	A	\$ 21.03	10,173	D
Common Stock, \$1.60 par value	11/18/2004	S	625	D	\$ 49.25	9,548	D
Common Stock, \$1.60 par value	11/18/2004	М	2,812	А	\$ 23.67	12,360	D
Common Stock, \$1.60 par value	11/18/2004	S	2,412	D	\$ 49.49	9,948	D
Common Stock, \$1.60 par value	11/18/2004	S	400	D	\$ 49.25	9,548	D
	11/18/2004	М	1,562	А		11,110	D

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Common Stock, \$1.60 par value						\$ 23.99			
Common Stock, \$1.60 par value	11/18/2004	S	5	1,562	D	\$ 49.55	9,548	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.

# 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. Transactio Code (Instr. 8)	5. Number out 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)	
				Code V	(A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Employee Stock Option (right to buy)	\$ 39.94	11/18/2004		М	1,560	<u>(1)</u>	05/17/2005	Common Stock	1,560
Employee Stock Option (right to buy)	\$ 40.44	11/18/2004		М	1,560	(2)	11/15/2005	Common Stock	1,560
Employee Stock Option (right to buy)	\$ 25.44	11/18/2004		М	2,000	<u>(3)</u>	05/16/2010	Common Stock	2,000
Employee Stock Option	\$ 13.22	11/18/2004		М	875	<u>(4)</u>	11/14/2010	Common Stock	875

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(right to buy)								
Employee Stock Option (right to buy)	\$ 21.03	11/18/2004	М	625	(5)	05/15/2011	Common Stock	625
Employee Stock Option (right to buy)	\$ 23.67	11/18/2004	М	2,812	<u>(6)</u>	11/12/2011	Common Stock	2,812
Employee Stock Option (right to buy)	\$ 23.99	11/18/2004	М	1,562	<u>(7)</u>	11/20/2012	Common Stock	1,562

## **Reporting Owners**

<b>Reporting Owner Name / Address</b>	Relationships							
	Director	10% Owner	Officer	Other				
MAHONEY THOMAS P 1700 LINCOLN STREET DENVER, CO 80203			Vice President					
Signatures								
Ardis Young, Assistant Secreta attorney-in-fact	ary, as		11/19/2004					
<u>**</u> Signature of Reporting P	erson		Date					

\*\*Signature of Reporting Person

### **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) Options vested in four equal annual installments beginning May 17, 1996, 1997, 1998 and 1999.
- (2) Options vested in four equal annual installments beginning November 15, 1996, 1997, 1998 and 1999.
- (3) Options vested in four equal annual installments beginning May 16, 2001, 2002, 2003 and 2004.
- (4) Options vested in four equal annual installments beginning November 14, 2001, 2002, 2003 and 2004.
- (5) Options vests in four equal annual installments beginning May 15, 2002, 2003, 2004 and 2005
- (6) Options vests in four equal annual installments beginning November 12, 2002, 2003, 2004 and 2005.
- (7) Options vests in four equal annual installments beginning November 20, 2003, 2004, 2005 and 2006.

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.