

NEW YORK MORTGAGE TRUST INC  
Form 8-K  
December 03, 2007

**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): December 3, 2007**

**NEW YORK MORTGAGE TRUST, INC.  
(Exact name of registrant as specified in its charter)**

|   |                          |                                      |
|---|--------------------------|--------------------------------------|
| <b><u>Maryland</u></b>                            | <b><u>001-32216</u></b>  | <b><u>47-0934168</u></b>             |
| (State or other jurisdiction of<br>incorporation) | (Commission File Number) | (IRS Employer Identification<br>No.) |

**1301 Avenue of the Americas  
New York, New York 10019**  
(Address and zip code of  
principal executive offices)

Registrant's telephone number, including area code: **(212) 634-9400**

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 7.01.**

**Regulation FD Disclosure.**

On December 3, 2007, New York Mortgage Trust, Inc. (the "Company") issued a press release announcing that it had agreed to issue and sell \$20 million of its Series A Cumulative Redeemable Convertible preferred stock to JMP Group Inc. and certain of its affiliates. A copy of the press release is furnished herewith as Exhibit 99.1 and is incorporated by reference herein.

In addition, the Company announced that it would hold a conference call at 2:00 p.m., eastern time, on December 3, 2007 to discuss the matters announced in its press release. The Company will also convey certain information to be discussed on the conference call through a powerpoint slide presentation. These presentation materials are available on the Company's website at the link: [www.nymtrust.com](http://www.nymtrust.com), under "Investor Relations - Presentations." The information contained on the Company's website is not incorporated by reference herein.

**Item 9.01**

**Financial Statements and Exhibits**

(d)

Exhibits.

| <b>Exhibit No.</b> | <b>Description</b> |
|--------------------|--------------------|
|--------------------|--------------------|

|      |                                       |
|------|---------------------------------------|
| 99.1 | Press release dated December 3, 2007. |
|------|---------------------------------------|

**SIGNATURE**

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.

**NEW YORK MORTGAGE TRUST, INC.**  
**(Registrant)**

Date: December 3, 2007

By: /s/ Steven R. Mumma

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Steven R. Mumma  
Chief Financial Officer

**EXHIBIT INDEX**

| <b>Exhibit<br/>No.</b> | <b>Description</b>                    |
|------------------------|---------------------------------------|
| 99.1                   | Press release dated December 3, 2007. |