

NEW YORK MORTGAGE TRUST INC

Form 8-K

February 10, 2006

**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): February 10, 2006  
NEW YORK MORTGAGE TRUST, INC.  
(Exact name of registrant as specified in its charter)**

**Maryland**

**001-32216**

**47-0934168**

*(State or other jurisdiction of  
incorporation)*

*(Commission File Number)*

*(IRS Employer Identification 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))
-

Item 5.03. Amendments to Articles of Incorporation or By Laws; Change in Fiscal Year.

Effective February 10, 2006, the Board of Directors of New York Mortgage Company, Inc. (the Company ) amended the Company s Bylaws to allow the annual meeting of the stockholders to be held by the end of June each year on a date and at a time set by the Board of Directors. Prior to this amendment, the Bylaws required the annual meeting of the stockholders to be held during the month of May each year.

**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: February 10, 2006

By: /s/ Michael I. Wirth  
Michael I. Wirth  
Executive Vice President  
and Chief Financial Officer