

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, DC 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) September 25, 2008

MERITAGE HOMES CORPORATION

(Exact Name of Registrant as Specified in Charter)

Maryland
(State or Other Jurisdiction
of Incorporation)

1-9977
(Commission File
Number)

86-0611231
(IRS Employer
Identification No.)

17851 N. 85th Street, Suite 300, Scottsdale, Arizona
(Address of Principal Executive Offices)

85255
(Zip Code)

(480) 515-8100
(Registrant's telephone number, including area code)

(Former Name or Former Address, if Changed Since Last Report)

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 *see* General Instruction A.2. below:

- 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 7.01 REGULATION FD DISCLOSURE

On September 26, 2008, Meritage Homes Corporation issued a press release to report the results of its lawsuit against Greg Hancock. On September 25, 2008, in United States Federal District Court in Phoenix, a jury awarded Meritage Homes \$111 million. The verdict is subject to customary post-trial motions and appeals. Additional information about the case and verdict is included in the press release, which is furnished as Exhibit 99.1 to this Report.

ITEM 9.01 FINANCIAL STATEMENTS AND EXHIBITS

(d) Exhibits

99.1 Press Release dated September 26, 2008

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: September 26, 2008

MERITAGE HOMES CORPORATION

/s/ Larry W. Seay
By: Larry W. Seay
Executive Vice President—Chief
Financial Officer



Listed on the NYSE: MTH



press release

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MERITAGE HOMES WINS JURY VERDICT OF \$111 MILLION IN TRIAL AGAINST FORMER DIVISION PRESIDENT GREG HANCOCK

Scottsdale, Ariz. (September 26, 2008) — Meritage Homes Corporation (NYSE: MTH) a leading U.S. homebuilder, was awarded \$111 million yesterday, in a unanimous jury verdict in Federal District Court in Phoenix. Meritage filed the lawsuit on February 24, 2004, against Greg Hancock, a former division president of Meritage Homes. Hancock is the current owner of Phoenix homebuilder Hancock Communities.

In 2001, Mr. Hancock sold his homebuilding business to Meritage, at which time he concurrently entered into an employment agreement with the Company. The jury found that Mr. Hancock breached contractual and fiduciary duties owed to Meritage and that he had immediately began to commit fraud against the Company by engaging in side businesses that stole corporate opportunities and goodwill belonging to the Company while he was President of Meritage's Phoenix division. The jury awarded Meritage \$57 million in compensatory damages and another \$54 million in punitive damages against Hancock. The Court's official judgment has not been entered and it is possible that the amount of the judgment may differ from the verdict. The verdict also is subject to customary post-trial motions and appeals. Meritage is confident the verdict and judgment will stand, and intends to vigorously pursue various collection options to recover the award from Mr. Hancock; accordingly, the timing and ultimate amount of any collections cannot be predicted at this time.

Steve Hilton, chief executive officer of Meritage said, "We are pleased with the verdict which favorably addressed all nine claims asserted by the Company. We believe this was a well-reasoned and thoughtful verdict after a three week trial. This is a victory for our shareholders and employees."

Tim White, executive vice president and general counsel for Meritage, added, "This jury verdict sends a clear signal to Mr. Hancock and corporate officers in general that malfeasance and undisclosed self-dealing by officers of public companies will not be tolerated."

MTH AWARD IN HANCOCK TRIAL/ 2

Meritage was represented at trial by Grant Woods of Grant Woods, P.C. and Dan Goldfine of Snell & Wilmer.

About Meritage Homes Corporation

Meritage Homes Corporation (NYSE:MTH) builds primarily single-family homes across the southern and western United States under the Meritage, Monterey and Legacy brands. Meritage has active communities in Houston, Dallas/Ft. Worth, Austin, San Antonio, Phoenix/Scottsdale, Tucson, Las Vegas, the East Bay/Central Valley and Inland Empire of California, Denver and Orlando. The Company was ranked by Builder magazine in 2008 as the 12th largest homebuilder in the U.S. and ranked #803 on the 2008 Fortune 1000 list. For more information about the Company, visit www.meritagehomes.com.

Click here to join our email alert list: <http://www.b2i.us/irpass.asp?BzID=1474&to=ea&s=0>

Cautionary Language

This press release contains forward-looking statements, within the meaning of the Private Securities Litigation Reform Act of 1995, including those regarding the Company's ability to sustain and collect the amount awarded by the jury in their verdict. The verdict against Greg Hancock is subject to customary post-trial motions and appeals, which could result in the verdict being overturned in whole or in part, or a reduction in the amount of the award. Although Meritage is confident the verdict and award will stand, and intends to vigorously pursue various collection options to recover the award from Mr. Hancock, the timing and ultimate amount of any collections cannot be predicted at this time.

Meritage's business is also subject to other significant risks and uncertainties. Those factors are identified in documents filed by the Company with the Securities and Exchange Commission, including those set forth in our Form 10-K for the year ended December 31, 2007, and Form 10-Q for the quarter ended June 30, 2008, under the caption "Risk Factors." As a result of these and other factors, the Company's stock and note prices may fluctuate dramatically. The Company makes no commitment, and disclaims any duty, to update or revise any forward-looking statements to reflect future events or changes in these expectations.

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