SEC Form 3

FORM 3

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

## INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

OMB APPROVAL

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Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

<u>WHITTERS JOSEPH E</u>	Date of Event equiring Statem Month/Day/Year 7/16/2018	nent 🛛	3. Issuer Name <b>and</b> Ticker or Trading Symbol <u>ACCURAY INC</u> [ ARAY ]					
(Last) (First) (Middle) 1310 CHESAPEAKE TERRACE	07/10/2018		<ul> <li>Relationship of Reporting Perso Check all applicable)</li> <li>X Director</li> <li>Officer (give title</li> </ul>	on(s) to Issue 10% Owne Other (spe	er (Moi 07/2	5. If Amendment, Date of Original Filed (Month/Day/Year) 07/24/2018		
(Street) SUNNYVALE CA 94089 (City) (State) (Zip)			below)	below)	6. In App	icable Line) Form filed b	/Group Filing (Check y One Reporting Person y More than One erson	
Table I - Non-Derivative Securities Beneficially Owned								
1. Title of Security (Instr. 4)			Amount of Securities eneficially Owned (Instr. 4)			. Nature of Indirect Beneficial Ownership nstr. 5)		
Common Stock			<b>37,500</b> <sup>(1)</sup>	D				
Table II - Derivative Securities Beneficially Owned           (e.g., puts, calls, warrants, options, convertible securities)								
1. Title of Derivative Security (Instr. 4)       2. Date Exercisable a         Expiration Date       (Month/Day/Year)		ate	d 3. Title and Amount of Securities Underlying Derivative Security (In		4. Conversion or Exercise	ise Form:	6. Nature of Indirect Beneficial Ownership (Instr. 5)	
Evaluation of Decourses:	Date Exercisable	Expiration Date	Title	Amount or Number of Shares	Price of Derivative Security	Direct (D) or Indirect (I) (Instr. 5)		

Explanation of Responses:

1. The shares are owned by Mr. Whitters and his spouse as community property.

**Remarks:** 

This Form 3/A is being filed to amend the Form 3 that the Reporting Person filed on July 24, 2018 to include Exhibit 24, which was inadvertently omitted from the original Form 3.

By: John McKune For: Joseph E. Whitters 07/26/2018

\*\* Signature of Reporting Person Date

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

\* If the form is filed by more than one reporting person, see Instruction 5 (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).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

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 Number.

Know all by these presents, that the undersigned hereby authorizes (i) each of Kevin Waters, Shig Hamamatsu, John McKune and Jesse Chew of Accuray Incorporated (the "Company") and (ii) any attorney employed in the Palo Alto, CA office of Wilson Sonsini Goodrich & Rosati, to individually execute for and on behalf of the undersigned, in the undersigned's capacity as an officer and/or director of the Company, Forms 3, 4 and 5, and any amendments thereto, and cause such form(s) to be filed with the U.S. Securities and Exchange Commission (the "SEC") pursuant to Section 16(a) of the Securities Exchange Act of 1934, as amended, relating to the undersigned's beneficial ownership of securities in the Company. The undersigned hereby grants to each such attorney-in-fact full power and authority to do and perform any and every act and thing whatsoever requisite, necessary, or proper to be done in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as the undersigned might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that such attorney-in-fact, or such attorney-in-fact's substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted. The undersigned acknowledges that the foregoing attorneys-in-fact, in serving in such capacity at the request of the undersigned, are not assuming, nor is the Company assuming, any of the undersigned's responsibilities to comply with Section 16 of the Securities Exchange Act of 1934, as amended.

This Power of Attorney shall remain in full force and effect until the undersigned is no longer required to file Forms 3, 4 and 5 with respect to the undersigned's holdings of, and transactions in, securities issued by the Company, unless earlier revoked by the undersigned in a signed writing delivered to the foregoing attorneys-in-fact.

IN WITNESS WHEREOF, the undersigned has caused this Power of Attorney to be executed as of this 16th day of July, 2018.

/s/ Joseph E. Whitters Signature

Joseph E. Whitters Print Name