

**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): October 28, 2022

**DATA STORAGE CORPORATION**

(Exact name of registrant as specified in its charter)

(Former Name of Registrant)

Nevada

(State or Other Jurisdiction of Incorporation)

001-35384

(Commission File Number)

98-0530147

(IRS Employer Identification Number)

**48 South Service Road  
Melville, New York 11747**

(Address of principal executive offices) (zip code)

**212-564-4922**

(Registrant's telephone number, including area code)

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))

Securities registered pursuant to Section 12(b) of the Act:

<u>Title of each class</u>	<u>Trading Symbol(s)</u>	<u>Name of each exchange on which registered</u>
Common Stock, par value \$0.001 per share	DTST	The Nasdaq Capital Market
Warrants to purchase shares of Common Stock, par value \$0.001 per share	DTSTW	The Nasdaq Capital Market

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

- Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

**Item 5.02. Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.**

On October 28, 2022, Data Storage Corporation (the "Company") received notice from Mark Wyllie of his resignation ("Resignation") from his position as Chief Executive Officer of Flagship Solutions, LLC ("Flagship"), a wholly-owned subsidiary of the Company, for "Good Reason" as defined in that certain Employment Agreement by and among Mr. Wyllie, Flagship and the Company, dated as of May 31, 2021 (the "Employment Agreement"). The Company disputes the validity of Mr. Wyllie's claim that his resignation is for Good Reason. Additionally, in connection with the Resignation, Mr. Wyllie will no longer serve as the Executive Vice President of the Company.

Pursuant to the terms and conditions of the Employment Agreement, Mr. Wyllie's resignation as a member of the Company's Board of Directors (the "Board") is effected by the Company's request to such effect, issued in connection with the termination of the Employment Agreement as a result of the Resignation. Mr. Wyllie's departure as a member of the Board is not the result of any disagreement with the Company on any matter relating to the Company's operations, policies or practices.

**Item 9.01. Financial Statements and Exhibits.**

(d) Exhibits

**Exhibit No.**   **Exhibit**

10.1   [Employment Agreement with Mark Wyllie \(incorporated by reference to Exhibit 10.2 to Form 8-K \(File No. 001-35384\) filed on June 3, 2021\).](#)

**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: November 3, 2022

**DATA STORAGE CORPORATION**

By: /s/ Charles M. Piluso

Name: Charles M. Piluso

Title: Chief Executive Officer

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