

CHEESECAKE FACTORY INC  
Form 8-K  
January 06, 2009

**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):**

**January 5, 2009**

**THE CHEESECAKE FACTORY INCORPORATED**

(Exact Name of Registrant as Specified in its Charter)

**Delaware**  
(State or other jurisdiction)

**0-20574**  
(Commission File Number)

**51-0340466**  
(IRS Employer Identification No.)

of incorporation)

**26901 Malibu Hills Road**

**Calabasas Hills, California 91301**

(Address of principal executive offices) (Zip Code)

Edgar Filing: CHEESECAKE FACTORY INC - Form 8-K

Registrant's telephone number, including area code:

**(818) 871-3000**

**Not Applicable**

(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):

- o Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - o Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - o Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14.d-2(b))
  - o Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
-



ITEM 8.01

## OTHER EVENTS

In a press release dated January 6, 2009, The Cheesecake Factory Incorporated (the Registrant ) announced that it had entered into an amendment of its revolving credit facility with JPMorgan Chase Bank, National Association and a syndicate of Lenders which revises the financial covenants applicable to the Registrant and increases certain interest rates and fees payable by the Registrant.

The full text of the press release is attached as Exhibit 99.2 to this report and is hereby

incorporated by reference herein.

**SECTION 9 FINANCIAL STATEMENTS AND EXHIBITS**

**ITEM 9.01 FINANCIAL STATEMENTS AND EXHIBITS**

(d) Exhibits

99.1 Amendment No. 2 to Loan Agreement

99.2 Press release dated January 6, 2009 entitled, The Cheesecake Factory Announces Amendment to Revolving Credit Facility

**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.

Date: January 6, 2009

THE CHEESECAKE FACTORY INCORPORATED

By: /s/ CHERYL M. SLOMANN  
Cheryl M. Slomann  
Interim Chief Financial Officer and Vice  
President, Controller

**EXHIBIT INDEX**

<b>Exhibit</b>	<b>Description</b>
99.1	Amendment No. 2 to Loan Agreement
99.2	Press release dated January 6, 2009 entitled, The Cheesecake Factory Announces Amendment to Revolving Credit Facility