

CHEESECAKE FACTORY INC  
Form 8-K  
May 04, 2007

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

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**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):

**May 3, 2007**

**THE CHEESECAKE FACTORY INCORPORATED**

(Exact Name of Registrant as Specified in its Charter)

**Delaware**  
(State or other jurisdiction  
of incorporation)

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

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

**26901 Malibu Hills Road**  
**Calabasas Hills, California 91301**

(Address of principal executive offices) (Zip Code)

Registrant's telephone number, including area code:

**(818) 871-3000**

**Not Applicable**

(Former name or former address, if changed since last report)

## Edgar Filing: CHEESECAKE FACTORY INC - Form 8-K

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))
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**SECTION 5 CORPORATE GOVERNANCE AND MANAGEMENT**

**ITEM 5.02 DEPARTURE OF DIRECTORS OR PRINCIPAL OFFICERS; ELECTION OF DIRECTORS; APPOINTMENT OF CERTAIN OFFICERS; COMPENSATORY ARRANGEMENTS OF CERTAIN OFFICERS**

**In a press release dated May 3, 2007, The Cheesecake Factory Incorporated announced that the Company's Board of Directors has unanimously appointed Agnieszka Winkler to the Board of Directors, effective May 3, 2007.**

Concurrent with Ms. Winkler's appointment, Karl Matthies, whose previously announced resignation was to become effective at the Company's Annual Meeting of Stockholders on May 22, 2007, has accelerated his resignation, effective May 3, 2007. As previously announced, the reason for Mr. Matthies' resignation as a director is to allow him more time to dedicate to his firm, Bellagio Partners, a private investment management and consulting company, and is not due to any disagreement with the Company on any matter relating to the Company's operations, policies and practices. Ms. Winkler will fill Mr. Matthies' vacated seat. Ms. Winkler's term will expire at the Company's Annual Meeting of Stockholders to be held in 2008 and she will be subject to election at that meeting.

**The full text of the press release is attached as Exhibit 99.1 to this report and is herein incorporated by reference.**

**SECTION 9 FINANCIAL STATEMENTS AND EXHIBITS**

**ITEM 9.01 FINANCIAL STATEMENTS AND EXHIBITS**

(d) Exhibits

**99.1 Press release dated May 3, 2007 entitled, The Cheesecake Factory Appoints New Member to its Board of Directors**

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**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: May 4, 2007

THE CHEESECAKE FACTORY INCORPORATED

By: /s/ MICHAEL J. DIXON  
Michael J. Dixon  
Senior Vice President and Chief Financial Officer

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**EXHIBIT INDEX**

<b>Exhibit</b>	<b>Description</b>
99.1	Press release dated May 3, 2007 entitled, The Cheesecake Factory Appoints New Member to its Board of Directors

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