

BJs RESTAURANTS INC  
Form 10-Q  
November 06, 2012  
Table of Contents

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

**FORM 10-Q**

(Mark One)

**QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934**

For the Quarterly Period Ended October 2, 2012

OR

**TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934**

For the transition period from            to

Commission file number 0-21423

**BJ S RESTAURANTS, INC.**

(Exact name of registrant as specified in its charter)

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**California**  
(State or other jurisdiction of  
incorporation or organization)

**33-0485615**  
(I.R.S. Employer

Identification Number)

**7755 Center Avenue**

**Suite 300**

**Huntington Beach, California 92647**

**(714) 500-2400**

(Address, including zip code, and telephone number, including  
area code, of registrant's principal executive offices)

Indicate by check mark whether the Registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the Registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes  No

Indicate by check mark whether the registrant has submitted electronically and posted on its corporate website, if any, every interactive data file required to be submitted and posted pursuant to Rule 405 of Regulation S-T (section 232.405 of this chapter) during the preceding 12 months (or for such shorter period that the registrant was required to submit and post such files). Yes  No

Indicate by check mark whether the registrant is a large accelerated filer, an accelerated filer, a non-accelerated filer or a smaller reporting company. See definition of "accelerated filer," "large accelerated filer" and "smaller reporting company" in Rule 12b-2 of the Exchange Act. (Check one):

Large accelerated filer

Accelerated filer

Non-accelerated filer  (do not check if smaller reporting company)

Smaller reporting company

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Act). Yes  No

As of November 6, 2012, there were 28,023,292 shares of Common Stock of the Registrant outstanding.

**Table of Contents**

**BJ S RESTAURANTS, INC.**

**Form 10-Q**

**For the thirteen weeks ended October 2, 2012**

	<b>Page</b>
<b>PART I. FINANCIAL INFORMATION</b>	
Item 1. <u>Consolidated Financial Statements</u>	
<u>Consolidated Balance Sheets</u> October 2, 2012 (Unaudited) and January 3, 2012	1
<u>Unaudited Consolidated Statements of Income</u> Thirteen and Thirty-Nine Weeks Ended October 2, 2012 and September 27, 2011	2
<u>Unaudited Consolidated Statements of Cash Flows</u> Thirty-Nine Weeks Ended October 2, 2012 and September 27, 2011	3
<u>Notes to Unaudited Consolidated Financial Statements</u>	4
Item 2. <u>Management's Discussion and Analysis of Financial Condition and Results of Operations</u>	9
Item 3. <u>Quantitative and Qualitative Disclosures about Market Risk</u>	23
Item 4. <u>Controls and Procedures</u>	24
<b>PART II. OTHER INFORMATION</b>	
Item 1. <u>Legal Proceedings</u>	24
Item 1A. <u>Risk Factors</u>	24
Item 6. <u>Exhibits</u>	25
<u>SIGNATURES</u>	25

**Table of Contents****PART I. FINANCIAL INFORMATION****Item 1. CONSOLIDATED FINANCIAL STATEMENTS****BJ S RESTAURANTS, INC.****CONSOLIDATED BALANCE SHEETS****(In thousands)**

	<b>October 2, 2012 (Unaudited)</b>	<b>January 3, 2012 (Audited)</b>
<b>Assets</b>		
Current assets:		
Cash and cash equivalents	\$19,384	\$22,391
Marketable securities	19,167	23,005
Accounts and other receivables	8,327	14,539
Inventories	6,066	5,963
Prepays and other current assets	6,211	7,902
Deferred income taxes	15,060	13,199
<b>Total current assets</b>	<b>74,215</b>	<b>86,999</b>
Property and equipment, net	439,118	390,591
Long-term marketable securities	11,035	7,739
Goodwill	4,673	4,673
Notes receivable	139	334
Other assets, net	14,060	11,743
<b>Total assets</b>	<b>\$543,240</b>	<b>\$502,079</b>
<b>Liabilities and Shareholders' Equity</b>		
Current liabilities:		
Accounts payable	\$21,436	\$23,757
Accrued expenses	51,791	50,411
<b>Total current liabilities</b>	<b>73,227</b>	<b>74,168</b>
Deferred income taxes	37,691	31,561
Deferred rent	17,952	15,219
Deferred lease incentives	47,525	45,928
Other liabilities	4,579	2,754
<b>Total liabilities</b>	<b>180,974</b>	<b>169,630</b>
Commitments and contingencies		
Shareholders' equity:		
Preferred stock, 5,000 shares authorized, none issued or outstanding		
Common stock, no par value, 125,000 shares authorized and 28,022 and 27,749 shares issued and outstanding as of October 2, 2012 and January 3, 2012, respectively	180,373	179,054
Capital surplus	36,799	32,722
Retained earnings	145,094	120,673
<b>Total shareholders' equity</b>	<b>362,266</b>	<b>332,449</b>

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Total liabilities and shareholders equity	\$543,240	\$502,079
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See accompanying notes to unaudited consolidated financial statements.

**Table of Contents****BJ S RESTAURANTS, INC.****UNAUDITED CONSOLIDATED STATEMENTS OF INCOME**

(In thousands, except per share data)

	For The Thirteen Weeks Ended		For The Thirty-Nine Weeks Ended	
	October 2,	September 27,	October 2,	September 27,
	2012	2011	2012	2011
Revenues	\$175,220	\$151,425	\$523,520	\$449,173
Costs and expenses:				
Cost of sales	43,230	37,383	129,470	110,988
Labor and benefits	61,324	51,774	181,686	154,554
Occupancy and operating	38,412	31,987	110,146	92,348
General and administrative	10,445	9,378	32,339	29,090
Depreciation and amortization	10,562	8,644	30,148	24,847
Restaurant opening	2,394	2,403	6,041	5,089
Loss on disposal of assets		257	451	925
Legal settlements		1,017	350	2,037
Total costs and expenses	166,367	142,843	490,631	419,878
Income from operations	8,853	8,582	32,889	29,295
Other income (expense):				
Interest income	66	68	214	156
Interest expense	(10)	(28)	(44)	(83)
Gain on investment settlement			289	614
Other income, net	198	57	628	391
Total other income	254	97	1,087	1,078
Income before income taxes	9,107	8,679	33,976	30,373
Income tax expense	2,268	2,343	9,555	8,674
Net income	\$6,839	\$6,336	\$24,421	\$21,699
Net income per share:				
Basic	\$0.24	\$0.23	\$0.87	\$0.79
Diluted	\$0.24	\$0.22	\$0.85	\$0.75
Weighted average number of shares outstanding:				
Basic	28,004	27,704	27,971	27,593
Diluted	28,850	29,223	28,859	29,093

See accompanying notes to unaudited consolidated financial statements.



**Table of Contents****BJ S RESTAURANTS, INC.****UNAUDITED CONSOLIDATED STATEMENTS OF CASH FLOWS****(In thousands)**

	<b>For The Thirty-Nine Weeks Ended</b>	
	<b>October 2, 2012</b>	<b>September 27, 2011</b>
Cash flows from operating activities:		
Net income	\$24,421	\$21,699
Adjustments to reconcile net income to net cash provided by (used in) operating activities:		
Depreciation and amortization	30,148	24,847
Deferred income taxes	4,269	4,156
Stock-based compensation expense	3,241	3,375
Loss on disposal of assets	451	925
Gain on investment settlement	(289)	(614)
Changes in assets and liabilities:		
Accounts and other receivables	3,608	2,298
Inventories	(103)	(27)
Prepays and other current assets	1,691	(144)
Other assets, net	(2,740)	(1,152)
Accounts payable	4,496	365
Accrued expenses	1,439	(1,990)
Deferred rent	2,733	1,739
Deferred lease incentives	2,738	4,984
Other liabilities	1,825	512
Net cash provided by operating activities	77,928	60,973
Cash flows from investing activities:		