

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

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)

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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))
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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

Exhibit	Description
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