

CHEESECAKE FACTORY INC  
Form 8-K  
February 10, 2009

## 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):

February 10, 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

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(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)

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 CERTAIN OFFICERS; ELECTION OF DIRECTORS; APPOINTMENT OF CERTAIN OFFICERS; COMPENSATORY ARRANGEMENTS OF CERTAIN OFFICERS**

On February 4, 2009, Wayne H. White notified the Board of Directors of The Cheesecake Factory Incorporated (the Company ) that he will not stand for re-election as a director when his current term ends. As such, Mr. White will retire from the Company s Board of Directors and its Compensation Committee, effective May 20, 2009. Mr. White s departure is not due to any disagreement with the Company on any matter relating to the Company s operations, policies or practices.

The Company thanks Mr. White for his more than 16 years of service as a director.

**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: February 10, 2009

THE CHEESECAKE FACTORY INCORPORATED

By: */s/* W. DOUGLAS BENN  
W. Douglas Benn  
Executive Vice President and Chief  
Financial  
Officer