

BYFUGLIN MAX S

Form 4

May 08, 2013

FORM 4
UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

Check this box
if no longer
subject to
Section 16.
Form 4 or
Form 5
obligations
may continue.
See Instruction
1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF
SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,
Section 17(a) of the Public Utility Holding Company Act of 1935 or Section
30(h) of the Investment Company Act of 1940

OMB APPROVAL

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(Print or Type Responses)

1. Name and Address of Reporting Person *
BYFUGLIN MAX S

2. Issuer Name **and** Ticker or Trading
Symbol
CHEESECAKE FACTORY INC
[CAKE]

5. Relationship of Reporting Person(s) to
Issuer

(Check all applicable)

(Last) (First) (Middle)

26901 MALIBU HILLS ROAD

(Street)

CALABASAS HILLS, CA 91301

(City) (State) (Zip)

3. Date of Earliest Transaction
(Month/Day/Year)
05/06/2013

4. If Amendment, Date Original
Filed(Month/Day/Year)

____ Director ____ 10% Owner
____X____ Officer (give title below) ____ Other (specify below)
President (Subsidiary)

6. Individual or Joint/Group Filing(Check
Applicable Line)
____X____ Form filed by One Reporting Person
____ Form filed by More than One Reporting
Person

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Ownership (Instr. 4)
			Code	V	Amount	(A) or (D) Price			
Common Stock	05/06/2013		M		7,603	A \$ 29.36	60,406	I	By Trust <u>(1)</u>
Common Stock	05/06/2013		S		3,500	D \$ 39.55	56,906	I	By Trust <u>(1)</u>
Common Stock	05/06/2013		S		200	D \$ 39.56	56,706	I	By Trust <u>(1)</u>
Common Stock	05/06/2013		S		800	D \$ 39.57	55,906	I	By Trust <u>(1)</u>
Common Stock	05/06/2013		S		1,803	D \$ 39.58	54,103	I	By Trust <u>(1)</u>

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Common Stock	05/06/2013	S	1,300	D	\$ 39.59	52,803	I	By Trust (1)
Common Stock	05/07/2013	M	2,397	A	\$ 29.36	55,200	I	By Trust (1)
Common Stock	05/07/2013	S	500	D	\$ 39.61	54,700	I	By Trust (1)
Common Stock	05/07/2013	S	900	D	\$ 39.62	53,800	I	By Trust (1)
Common Stock	05/07/2013	S	400	D	\$ 39.59	53,400	I	By Trust (1)
Common Stock	05/07/2013	S	400	D	\$ 39.61	53,000	I	By Trust (1)
Common Stock	05/07/2013	S	197	D	\$ 39.63	52,803	I	By Trust (1)
Common Stock						25,000	D	

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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(9-02)

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned
(e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount of Underlying Securities (Instr. 3 and 4)			
				Code	V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Employee Stock Option (right to buy)	\$ 29.36	05/06/2013		M		7,603		12/31/2004	12/31/2013	Common Stock	7,603
Employee Stock Option	\$ 29.36	05/07/2013		M		2,397		12/31/2004	12/31/2013	Common Stock	2,397

(right to
buy)

Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
BYFUGLIN MAX S 26901 MALIBU HILLS ROAD CALABASAS HILLS, CA 91301			President (Subsidiary)	

Signatures

Max. S. Byfuglin by Debby Zurzolo, his attorney
in fact

05/08/2013

__Signature of Reporting Person

Date

Explanation of Responses:

* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

(1) Shares held by the Byfuglin Family Trust u/t/a 9/27/2003 of which the reporting person and his spouse are trustees.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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