

BYFUGLIN MAX S  
Form 4  
May 06, 2013

**FORM 4**

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

OMB APPROVAL

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**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

(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)

3. Date of Earliest Transaction  
(Month/Day/Year)  
05/02/2013

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)  
President (Subsidiary)

CALABASAS HILLS, CA 91301

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

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

(City) (State) (Zip)

**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 Indirect Beneficial Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|----------------------------------------------------|--------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------------------------------------------|
|                                 |                                      |                                                    |                                | (A) or (D) Code V Amount Price                                    |                                                                                               |                                                          |                                                       |
| Common Stock                    | 05/02/2013                           |                                                    | M                              | 17,500 A \$ 29.36                                                 | 70,303                                                                                        | I                                                        | By Trust (1)                                          |
| Common Stock                    | 05/02/2013                           |                                                    | S                              | 600 D \$ 39.53                                                    | 69,703                                                                                        | I                                                        | By Trust (1)                                          |
| Common Stock                    | 05/02/2013                           |                                                    | S                              | 1,000 D \$ 39.54                                                  | 68,703                                                                                        | I                                                        | By Trust (1)                                          |
| Common Stock                    | 05/02/2013                           |                                                    | S                              | 14,778 D \$ 39.55                                                 | 53,925                                                                                        | I                                                        | By Trust (1)                                          |
| Common Stock                    | 05/02/2013                           |                                                    | S                              | 722 D \$ 39.56                                                    | 53,203                                                                                        | I                                                        | By Trust (1)                                          |



## Edgar Filing: BYFUGLIN MAX S - Form 4

(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.

Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.