#### BYFUGLIN MAX S

Form 4 May 21, 2013

## FORM 4

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

OMB Number: 3235-0287

burden hours per

Check this box if no longer subject to Section 16.

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Expires: January 31, 2005
Estimated average

**OMB APPROVAL** 

Form 4 or Form 5 obligations may continue. See Instruction

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

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1(b).

(Print or Type Responses)

1. Name and Address of Reporting Person * BYFUGLIN MAX S			2. Issuer Name <b>and</b> Ticker or Trading Symbol	5. Relationship of Reporting Person(s) to Issuer		
			CHEESECAKE FACTORY INC [CAKE]	(Check all applicable)		
(Last)	(First)	(Middle)	3. Date of Earliest Transaction	Director 10% Owner		
26901 MALIBU HILLS ROAD			(Month/Day/Year)	_X_ Officer (give title Other (specify below) President (Subsidiary)		
			05/17/2013			
(Street)			4. If Amendment, Date Original	6. Individual or Joint/Group Filing(Check		
			Filed(Month/Day/Year)	Applicable Line) _X_ Form filed by One Reporting Person		
CALABASAS HILLS, CA 91301				Form filed by More than One Reporting Person		

## (City) (State) (Zip) Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

	Tuble 1 Tron Bettvutte Securities required, Bisposed of, or Beneficially 6 when								
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	3. 4. Securities Acquired Transaction(A) or Disposed of (D) Code (Instr. 3, 4 and 5) (Instr. 8)			5. Amount of Securities Beneficially Owned Following Reported	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)		
			Code V	Amount	(A) or (D)	Price	Transaction(s) (Instr. 3 and 4)		
Common Stock	05/17/2013		M	10,000	A	\$ 29.36	62,803	I	By Trust
Common Stock	05/17/2013		S	2,832	D	\$ 40.6	59,971	I	By Trust
Common Stock	05/17/2013		S	300	D	\$ 40.61	59,671	I	By Trust
Common Stock	05/17/2013		S	100	D	\$ 40.62	59,571	I	By Trust
Common Stock	05/17/2013		S	300	D	\$ 40.63	59,271	I	By Trust

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Common Stock	05/17/2013	S	300	D	\$ 40.72	58,971	I	By Trust
Common Stock	05/17/2013	S	300	D	\$ 40.73	58,671	I	By Trust
Common Stock	05/17/2013	S	500	D	\$ 40.74	58,171	I	By Trust
Common Stock	05/17/2013	S	400	D	\$ 40.75	57,771	I	By Trust
Common Stock	05/17/2013	S	200	D	\$ 40.76	57,571	I	By Trust
Common Stock	05/17/2013	S	868	D	\$ 40.77	56,703	I	By Trust
Common Stock	05/17/2013	S	300	D	\$ 40.78	56,403	I	By Trust
Common Stock	05/17/2013	S	760	D	\$ 40.79	55,643	I	By Trust
Common Stock	05/17/2013	S	840	D	\$ 40.8	54,803	I	By Trust
Common Stock	05/17/2013	S	500	D	\$ 40.81	54,303	I	By Trust
Common Stock	05/17/2013	S	600	D	\$ 40.82	53,703	I	By Trust
Common Stock	05/17/2013	S	100	D	\$ 40.83	53,603	I	By Trust
Common Stock	05/17/2013	S	300	D	\$ 40.84	53,303	I	By Trust
Common Stock	05/17/2013	S	300	D	\$ 40.85	53,003	I	By Trust
Common Stock	05/17/2013	S	100	D	\$ 40.86	52,903	I	By Trust
Common Stock	05/17/2013	S	100	D	\$ 40.91	52,803	I	By Trust
Common Stock						25,000	D	

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

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

SEC 1474 (9-02)

 $\label{thm:convergence} \begin{tabular}{ll} Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned \\ (e.g., puts, calls, warrants, options, convertible securities) \end{tabular}$ 

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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. Transactic Code (Instr. 8)	orDerivative		erivative Expiration Date ecurities (Month/Day/Year) cquired (A) r Disposed of D) nstr. 3, 4,		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	05/17/2013		M		10,000	12/31/2004	12/31/2013	Common Stock	10,000

## **Reporting Owners**

Reporting Owner Name / Address	Relationships						
	Director	10% Owner	Officer	Other			

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 05/21/2013

\*\*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. 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.

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