

JAMBA, INC.
Form 8-K
November 08, 2013

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):

November 4, 2013

Jamba, Inc.

(Exact name of registrant as specified in its charter)

Delaware **001-32552** **20-2122262**
(State or other jurisdiction **(Commission** **(I.R.S. Employer**
of incorporation) **File No.)** **Identification No.)**

6475 Christie Avenue, Suite 150, Emeryville, California 94608

(Address of principal executive offices)

Registrant's telephone number, including area code:

(510) 596-0100

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:

- .. Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- .. Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- .. Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- .. Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Item 1.01 Entry into a Material Definitive Agreement.

On November 4, 2013, Jamba, Inc. (the "Company") entered into an amendment and limited waiver (the "Amendment") to the Credit Agreement (the "Credit Agreement"), dated as of February 14, 2012, by and among the Company, Jamba Juice Company, the Company's wholly-owned subsidiary, as borrower ("Jamba Juice"), the Company's wholly-owned subsidiaries, Jamba Juice Advertising Fund Inc. and Talbott Teas Inc., as guarantors, and Wells Fargo Bank, National Association (the "Lender"), as amended by Amendment No. 1 thereto, dated as of November 1, 2012, and by Amendment No. 2 thereto, dated as of July 22, 2013. Pursuant to the Amendment, the terms of the debt covenants related to maximum consolidated leverage ratios and minimum levels of tangible net worth were modified, including certain definitions related thereto. In addition, the Lender waived the Company's non-compliance with the financial covenant relating to the consolidated fixed charge coverage ratio as of October 1, 2013.

The description of the Amendment is not complete and is qualified in its entirety by the actual terms of the Amendment, a copy of which will be filed as an exhibit to the Company's Annual Report on Form 10-K for the fourth quarter and year ended December 31, 2013.

Item 2.03 Creation of a Direct Financial Obligation or an Obligation Under an Off-Balance Sheet Arrangement of a Registrant.

The information provided in Item 1.01 of this Current Report on Form 8-K is hereby incorporated into this Item 2.03 by reference.

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.

JAMBA, INC.

Date: November 8,
2013

By: /s/ Karen L. Luey

Karen L. Luey
Chief Financial Officer, Chief Administrative Officer, Executive Vice President and
Secretary