BYFUGLIN MAX S

Form 4 May 29, 2009

FORM 4

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

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

SECURITIES

OMB Number:

3235-0287

January 31, Expires:

OMB APPROVAL

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subject to Section 16. Form 4 or Form 5 obligations may continue.

See Instruction

Check this box

if no longer

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

1(b).

(City)

(Zin)

(State)

(Print or Type Responses)

1. Name and Address of Reporting Person * BYFUGLIN MAX S			2. Issuer Name and 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 (speci below) below) President (Subsidiary)			
			05/27/2009				
(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) Tab	le I - Non-	Derivativ	e Secu	rities Acqui	red, Disposed of,	or Beneficial	y Owned
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transactic Code (Instr. 8)	4. Securionor Dispo (Instr. 3,	sed of 4 and (A) or	` ′	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)
Common stock			Code V	Amount	(D)	THEC	66,312 (1)	D	
Common stock	05/27/2009		S	4,400	D	\$ 16.5	15,100	I	By trust
Common stock	05/27/2009		S	100	D	\$ 15.5001	15,000	I	By trust
Common trust	05/27/2009		S	1,400	D	\$ 15.505	13,600	I	By trust
Common stock	05/27/2009		S	100	D	\$ 16.5075	13,500	I	By trust

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Common stock	05/27/2009	S	800	D	\$ 16.51	12,700	I	By trust
Common stock	05/27/2009	S	2,100	D	\$ 16.52	10,600	I	By trust
Common stock	05/27/2009	S	700	D	\$ 16.53	9,900	I	By trust
Common stock	05/27/2009	S	400	D	\$ 16.535	9,500 (2)	I	By trust

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

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SEC 1474 (9-02)

> 9. Nu Deriv Secu Bene Own Follo Repo Trans (Insti

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

1. Title of	2.	3. Transaction Date	3A. Deemed	4.		5.	6. Date Exerc	cisable and	7. Titl	le and	8. Price of
Derivative	Conversion	(Month/Day/Year)	Execution Date, if	Transa	ction	Number	Expiration D	ate	Amou	ınt of	Derivative
Security	or Exercise		any	Code	(of	(Month/Day/	Year)	Under	rlying	Security
(Instr. 3)	Price of		(Month/Day/Year)	(Instr.	8)	Derivative	•		Secur	ities	(Instr. 5)
	Derivative		•			Securities			(Instr.	. 3 and 4)	
	Security					Acquired			`	ĺ	
	J					(A) or					
						Disposed					
						of (D)					
						(Instr. 3,					
						4, and 5)					
						i, and 5)					
										Amount	
							Date	Expiration		or	
							Exercisable	Date	Title	Number	
							Exercisable	Date		of	
				Code	V	(A) (D)				Shares	

Reporting Owners

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

Max Byfuglin by Debby Zurzolo, his attorney 05/29/2009 in fact

> **Signature of Reporting Person Date

Reporting Owners 2

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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).
- Of this amount, 10,000, 6,000, 2,000 and 2,000 shares represent restricted stock awards vesting on 1/4/2010, 2/5/2012, 2/5/2013 and 2/5/2014, respectively, 46,312 shares are held by Mr. Byfuglin and his spouse as joint tenants.
- (2) 9,500 shares are held by Mr. Byfuglin and his spouse as trustees for The Byfuglin Trust.

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.