

SIMON HERBERT  
Form 4  
June 05, 2012

# FORM 4

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

OMB APPROVAL

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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

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
SIMON HERBERT

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)  
PO BOX 7033  
(Street)

3. Date of Earliest Transaction  
(Month/Day/Year)  
06/04/2012

Director  10% Owner  
 Officer (give title below)  Other (specify below)

INDIANAPOLIS, IN 46207-7033

(City) (State) (Zip)

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

**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	06/04/2012		P	1,100 A \$ 29.95	101,100	I	By Trust (1)
Common stock	06/04/2012		P	2,263 A \$ 29.76	103,363	I	By Trust (1)
Common stock	06/04/2012		P	2,874 A \$ 29.75	106,237	I	By Trust (1)
Common stock	06/04/2012		P	5,300 A \$ 29.74	111,537	I	By Trust (1)
Common stock	06/04/2012		P	4,829 A \$ 29.73	116,366	I	By Trust (1)

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Common stock	06/04/2012	P	3,615	A	\$ 29.72	119,981	I	By Trust (1)
Common stock	06/04/2012	P	2,111	A	\$ 29.71	122,092	I	By Trust (1)
Common stock	06/04/2012	P	1,108	A	\$ 29.7	123,200	I	By Trust (1)
Common stock	06/04/2012	P	400	A	\$ 29.69	123,600	I	By Trust (1)
Common stock	06/04/2012	P	1,400	A	\$ 29.68	125,000	I	By Trust (1)

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)	8. Price of Derivative Security (Instr. 5)	9. Number of Derivative Securities Owned Beneficially (Instr. 5)
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## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
SIMON HERBERT PO BOX 7033 INDIANAPOLIS, IN 46207-7033		X		

## Signatures

Herbert Simon by Debby Zurzolo, his attorney in fact 06/05/2012

\_\_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) Held by the Herbert Simon Revocable Trust of which the reporting person is trustee.

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.