

SIMON HERBERT

Form 4

June 05, 2012

FORM 4
UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

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

OMB APPROVAL

OMB
Number: 3235-0287
Expires: January 31,
2005
Estimated average
burden hours per
response... 0.5

(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

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

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

(Street)

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

INDIANAPOLIS, IN 46207-7033

(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) |
|---------------------------------------|---|---|---|---|--|--|---|
| | | | 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) |

Edgar Filing: SIMON HERBERT - Form 4

| | | | | | | | | |
|--------------|------------|---|-------|---|----------|---------|---|-----------------|
| 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.

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)

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 Beneficially Owned Following Reported Transaction (Instr. 6) |
|---|--|---|---|--------------------------------------|--|--|---|---|--|
| | | | | Code | V (A) (D) | Date Exercisable | Expiration Date | Title | Amount or Number of Shares |

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.