

Edgar Filing: TRIARC COMPANIES INC - Form 8-K

TRIARC COMPANIES INC
Form 8-K
August 10, 2007

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, DC 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): August 10, 2007

TRIARC COMPANIES, INC.

(Exact name of registrant as specified in its charter)

DELAWARE	1-2207	38-0471180
-----	-----	-----
(State or Other Jurisdiction of Incorporation)	(Commission File Number)	(I.R.S. Employer Identification No.)

280 Park Avenue
New York, NY

10017

(Address of principal executive offices) (Zip Code)

Registrant's telephone number, including area code: (212) 451-3000

N/A

(Former Name or Former Address, if Changed Since Last Report)

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 9.01. Financial Statements and Exhibits.

(d) Exhibits

10.1 Assignment and Assumption of Lease, dated as of June 30, 2007, between

Edgar Filing: TRIARC COMPANIES INC - Form 8-K

Triarc Companies, Inc. and Trian Fund Management, L.P.,

- 10.2 Bill of Sale dated July 31, 2007 by Triarc Companies, Inc. to Trian Fund Management, L.P
- 10.3 Settlement Agreement and Mutual Release, dated as of July __, 2007, by and among Triarc Companies, Inc., Arby's Restaurant Group, Inc., Arby's Restaurant, LLC and Russell V. Umphenour, Jr., Dennis E. Cooper and J. Russell Welch, as the RTM Representatives
- 10.4 Agreement of Sublease between Triarc Companies, Inc. and Trian Fund Management, L.P.
- 10.5 Form of Aircraft Time Sharing Agreement between Triarc Companies, Inc. and each of Trian Fund Management, L.P., Nelson Peltz, Peter W. May and Edward P. Garden.
- 10.6 Form of Aircraft Time Sharing Agreement between 280 Holdings, LLC and each of Trian Fund Management, L.P., Nelson Peltz, Peter W. May and Edward P. Garden.
- 10.7 Letter Agreement dated August 6, 2007 between Triarc Companies, Inc. and Trian Fund Management, L.P.
- 10.8 Letter Agreement dated August 8, 2007 among Deerfield & Company, LLC, Deerfield Triarc Capital Corp., DFR Merger Company, LLC and Triarc Companies, Inc., as sellers' representative.

SIGNATURE

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.

TRIARC COMPANIES, INC.

By: /s/STUART ROSEN

Stuart I. Rosen
Senior Vice President and
Secretary

Dated: August 10, 2007

EXHIBIT INDEX

- | Exhibit | Description |
|---------|--|
| 10.1 | Assignment and Assumption of Lease, dated as of June 30, 2007, between |

Edgar Filing: TRIARC COMPANIES INC - Form 8-K

- Triarc Companies, Inc. and Trian Fund Management, L.P.,
- 10.2 Bill of Sale dated July 31, 2007 by Triarc Companies, Inc. to Trian Fund Management, L.P
 - 10.3 Settlement Agreement and Mutual Release, dated as of July __, 2007, by and among Triarc Companies, Inc., Arby's Restaurant Group, Inc., Arby's Restaurant, LLC and Russell V. Umphenour, Jr., Dennis E. Cooper and J. Russell Welch, as the RTM Representatives
 - 10.4 Agreement of Sublease between Triarc Companies, Inc. and Trian Fund Management, L.P.
 - 10.5 Form of Aircraft Time Sharing Agreement between Triarc Companies, Inc. and each of Trian Fund Management, L.P., Nelson Peltz, Peter W. May and Edward P. Garden.
 - 10.6 Form of Aircraft Time Sharing Agreement between 280 Holdings, LLC and each of Trian Fund Management, L.P., Nelson Peltz, Peter W. May and Edward P. Garden.
 - 10.7 Letter Agreement dated August 6, 2007 between Triarc Companies, Inc. and Trian Fund Management, L.P.
 - 10.8 Letter Agreement dated August 8, 2007 among Deerfield & Company, LLC, Deerfield Triarc Capital Corp., DFR Merger Company, LLC and Triarc Companies, Inc., as sellers' representative.