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The Cheesecake Factory®

Debby R. Zurzolo
Senior Vice President • General Counsel

Via Certified Mail; Return Receipt Requested

December 10, 1999

Secretary of Labor
Top Hat Plan Exemption
Pension and Welfare Benefits Administration
Room N-5644
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

**Re: *The Cheesecake Factory Incorporated-
Executive Savings Plan***

Dear Sir or Madam:

This notice is intended to satisfy the requirements of Department of Labor Regulation Section 2520.104-23 with respect to the above-referenced plan.

The Cheesecake Factory Incorporated, a Delaware corporation, maintains one plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees. The name of this plan is The Cheesecake Factory Incorporated Executive Savings Plan. The number of employees who are current Participants in the Plan is 49. (The Cheesecake Factory Incorporated does not maintain any other plans of this type.)

The address of The Cheesecake Factory is 26950 Agoura Road, Calabasas Hills, CA, 91301. The employer identification number of The Cheesecake Factory is **51-0340466**.

51-0340466

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The Cheesecake Factory Incorporated, 26950 Agoura Road, Calabasas Hills, CA 91301
Telephone: 818-871-3080 Facsimile: 818-871-3110 E-Mail: dzurzolo@thecheesecakefactory.com

If you have any questions with regard to this matter or require any other information, please let me know.

Very truly yours,

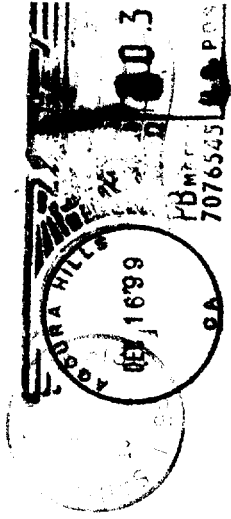


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cc: Nancy McGinnis



The Cheesecake Factory Incorporated
26950 Agoura Road • Calabasas Hills, CA 91301



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