

TRIARC

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Triarc Companies, Inc.
280 Park Avenue
New York, NY 10017
Tel 212 451 3000

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June 6, 2003

**Certified Mail
Return Receipt Requested**

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

Dear Sir or Madam:

Triarc Companies, Inc. (the "Company"), EIN 38-0471180, with its principal office at 280 Park Avenue, New York, New York 10017, maintains a Stock Option Deferral Program (the "Deferral Program") pursuant to the Company's 1993, 1998 and 2002 Equity Participation Plans, primarily for the purpose of providing deferred compensation to a select group of management or highly compensated employees. A total of 16 employees are currently eligible to participate in the Deferral Program.

Pursuant to Department of Labor Reg. section 2520.104-23(b), promulgated under the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), the Plan Administrator, by the transmittal of this letter to the U.S. Department of Labor, is hereby deemed to have complied with the reporting and disclosure requirements of Part 1 of Title I of ERISA.

Very truly yours,

TRIARC COMPANIES, INC.

By: 

Name:

BRIAN L. SENNER

Title:

Exec. Vice President

Triarc Companies, Inc.
280 Park Avenue
New York, NY 10017

TRIARC



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CERTIFIED MAIL

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