

TRIARC COMPANIES INC

Form 5

February 11, 2003

SEC Form 5

<b>FORM 5</b>  [X] Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).  [ ] Form 3 Holdings Reported [X] Form 4 Transactions Reported	<b>UNITED STATES SECURITIES AND EXCHANGE COMMISSION</b> Washington, D.C. 20549  <b>STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP</b>  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	<b>OMB APPROVAL</b>  <hr/> OMB Number: 3235-0362 Expires: January 31, 2005 Estimated average burden hours per response. . . . 0.5
1. Name and Address of Reporting Person* <b>Silverman, Jeffrey S.</b>  <div style="display: flex; justify-content: space-between;"> <span>(Last)</span> <span>(First)</span> <span>(Middle)</span> </div> <b>Triarc Companies, Inc.</b> <b>280 Park Avenue</b>  <div style="display: flex; justify-content: space-between;"> <span>(Street)</span> </div> <b>New York, NY 10017</b>  <div style="display: flex; justify-content: space-between;"> <span>(City)</span> <span>(State)</span> <span>(Zip)</span> </div> <b>USA</b>	2. Issuer Name and Ticker or Trading Symbol <b>Triarc Companies, Inc. (TRY)</b>  3. I.R.S. Identification Number of Reporting Person, if an entity (voluntary)  4. Statement for Month/Day/Year <div style="text-align: center;"><b>December 29, 2002</b></div>  5. If Amendment, Date of Original (Month/Day/Year)	6. Relationship of Reporting Person(s) to Issuer <div style="text-align: center;">(Check all applicable)</div> <div style="display: flex; justify-content: space-between;"> <span>Director</span> <span>_____</span> </div> <div style="display: flex; justify-content: space-between;"> <span>10% Owner</span> <span>_____</span> </div> <div style="display: flex; justify-content: space-between;"> <span>Officer</span> <span><b>X</b></span> </div> <div style="display: flex; justify-content: space-between;"> <span>Other</span> <span>_____</span> </div> Officer/Other Description <b>Former Director</b>  7. Individual or Joint/Group Filing (Check Applicable Line)  <input checked="" type="checkbox"/> Individual Filing <input type="checkbox"/> Joint/Group Filing

**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 (D) Of (Instr. 3, 4, and 5)	5. Amount of Securities Beneficially Owned at End of Issuer's Fiscal Year (Instr. 3 and 4)	6. Ownership Form: Direct(D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
Class A Common Stock	03/18/2002		J	307   A   \$24.41		D	
Class A Common Stock	03/27/2002		J (1)	162   A   \$27.46(2)		D	
Class A Common Stock	04/11/2002		J (1)	272   A   \$27.57(2)		D	
Class A Common Stock	04/23/2002		J (1)	57   A   \$27.57(2)		D	
Class A Common Stock	06/04/2002		J (1)	53   A   \$27.85(2)		D	
Class A Common Stock	06/19/2002		J (1)	54   A   \$19.86(2)		D	
Class A Common Stock	07/01/2002		J (1)	330   A   \$27.24(2)		D	
	08/12/2002		J (1)			D	

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Class A Common Stock				A	61   \$24.35(2)			
Class A Common Stock	09/19/2002		J (1)	A	60   \$24.68(2)	4,575	D	

If the form is filed by more than one reporting person, *see* instruction 4(b)(v). 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. (over) SEC 2270 (7-02)

Silverman, Jeffrey S. - December 29, 2002

Form 5 (continued)

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	5. Number of Derivative Securities Acquired (A) or Disposed (D) Of (Instr. 3,4 and 5)	6. Date Exercisable(DE) and Expiration Date(ED) (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 at End of Year (Instr.4)	10. Ownership Form of Derivative Security: Direct (D) or Indirect (I) (Instr.4)	11. Nature of Indirect Beneficial Ownership (Instr.4)
ESOP-right to buy w/ tandem tax withholding rights	\$27.17	06/04/2002		A	(A) 4,000	(3)   06/04/2012	Class A Common Stock - 4,000		4,000	D	

Explanation of Responses :

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations.

See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

**By: Stuart I. Rosen, Secretary of Triarc on behalf of**

\*\* Signature of Reporting Person

Date

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient,

**Power of Attorney**

see Instruction 6 for procedure.

Page 2

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.

Silverman, Jeffrey S. - December 29, 2002

Form 5 (continued)

FOOTNOTE Descriptions for Triarc Companies, Inc. (TRY)

Form 5 - December 2002

**Jeffrey S. Silverman**  
**Triarc Companies, Inc.**  
**280 Park Avenue**  
**New York, NY 10017**

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**Explanation of responses:**

(1) Shares were issued pursuant to the Company's 1998 Equity Participation Plan in lieu of annual retainer or Board of Directors or committee meeting attendance fees that would otherwise be payable in cash.

(2) In accordance with the Company's 1998 Equity Participation Plan, the price is the average of the closing price per share on the 20 consecutive trading days immediately preceding the date on which the annual retainer or meeting attendance fee would otherwise be payable.

(3) In accordance with the terms of the stock option agreement, the options became fully (100%) vested and exercisable immediately prior to Mr. Silverman's death on September 23, 2002.

Page 3