Edgar Filing: TRIARC COMPANIES INC - Form 4

TRIARC COMPANIES INC

Form 4

February 18, 2003

SEC Form 4

| FORM 4 | 1 | UNITED STATES SECURITIES AND EXCHANGE COMMISSION | | | | | | OMB APPROVAL | | | |
|--|---------------|--|-------------------------|---|--|---|---|--|---|--|--|
| [] Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b). | | Washington, D.C. 20549 STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP | | | | | | OMB Number: 3235-0287 Expires: January 31, 2005 Estimated average burden hours per response0.5 | | | |
| (Print or Type Response | es) | 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 | | | | | | | se 0.3 | | |
| 1. Name and Address of Reporting Person* Tsai, Jr., Gerald | | 2. Issuer Name and Ticker or Trading Symbol Triarc Companies, Inc. (TRY) | | | | | 6. Relationship of Reporting Person(s) to Issuer (Check all applicable) | | | | |
| (Last) (First) (Middle) Triarc Companies, Inc. 280 Park Avenue | | 3. I.R.S. Identification Number of Reporting Person, if an entity (voluntary) | | 4. Statement for Month/Day/Year February 14, 2003 | | X Director 10% Owner Officer Other 7. Individual or Joint/Group Filing (Check Applicable | | | | | |
| (Street) New York, NY 10017 (City) (State) (Zip) USA | | | | 5. If Amendment, Date of Original (Month/Day/Year) | | Line) X Form filed by One Reporting Person Form filed by More than One Reporting Person | | | | | |
| | tive Securiti | es Acquii | red, Disposed of, or Be | | | | | _ | | | |
| 1. Title of Security (Instr. 3) 2. Transact (Month/ | | tion Date Day/Year) 2A. Deemed Execution Date, if any (Month/Day/Year) | | Code and Voluntary | (A) or Disposed (D) Of (Instr. 3, 4, and 5) (Instr. 3, 4, and 5) Securities Beneficially Owned Following Reported Transaction(s) | | Beneficially Owned Following | 6. Owner-ship Form: Direct(D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) | | |
| | | | | Code V | | rice | | | | | |
| Class A Common Stock | 02/13/2003 | | | A (1) | 58(2) \$25.85 | A (2) | 5158 | B D | | | |
| Reminder: Report on a s beneficially owned direc | | | lass of securities | Persons who | respond to the coll in this form are | | I of information co equired to | ntained | <u> </u> | | |

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Form 4 (continued)

Instruction 4(b)(v).

* If the form is filed by more than one reporting person, see

| Table II | | | Acquired, Disp | , | wned | | | | | | |
|--|------------|-------------|----------------|-------------|-----------|---------------------|--------------|----------|--------------|--------|---------------|
| (e.g., puts, calls, warrants, options, convertible securities) | | | | | | | | | | | |
| 1. Title of | 2. Conver- | 3. | 3A. Deemed | 4. | 5. Number | 6. Date | 7. Title and | 8. Price | 9. Number of | 10. | 11. Nature of |
| Derivative | sion or | Transaction | Execution | Transaction | of | Exercisable(DE) and | Amount of | of | Derivative | Owner- | Indirect |

respond unless the form displays a currently valid OMB control

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(over)

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| Security (Instr. 3) | Exercise Price of Deri- vative Security | Date (Month/ Day/ Year) | Date, if any (Month/ Day/ Year) | and Voluntary (V) | Derivative Securities Acquired (A) or Disposed (D) Of (Instr. 3,4 and 5) | (Month/Day/Year) | Underlying Securities (Instr. 3 and 4) | Derivative Security (Instr.5) | Beneficially Owned Following Reported Transactions (Instr.4) | Deriv- ative Security: | Beneficial Ownership (Instr.4) |
|------------------------|---|-------------------------|---|-------------------|--|------------------|---|-------------------------------------|---|------------------------------|--------------------------------------|
| | | | | | | | | | | | |

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).

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

required to respond unless the form displays a currently valid OMB number.

/s/ Gerald Tsai, Jr.

** Signature of Reporting Person
Date

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Form 4 (continued)

FOOTNOTE Descriptions for Triarc Companies, Inc. (TRY)

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

Explanation of responses:

- (1) Shares were issued pursuant to the Company's 1998 Equity Participation Plan in lieu of 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 meeting attendance fee would otherwise be payable.

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