

WENDYS INTERNATIONAL INC

Form 8-K

August 18, 2008

**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 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 15, 2008,

WENDY S INTERNATIONAL, INC.

(Exact name of registrant as specified in its charter)

Ohio
(State or other jurisdiction of
incorporation or organization)

001-08116
(Commission File Number)

31-0785108
(I.R.S. Employer
Identification No.)

P.O. Box 256
4288 West Dublin-Granville Road
Dublin, Ohio
(Address of Principal Executive Offices)

43017
(Zip Code)

(614) 764-3100

(Registrant's telephone number, including area code)

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 (see General Instruction A.2. below):

- ☒ 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))
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Item 8.01 Other Events.

On August 15, 2008, the Company and Triarc Companies, Inc. (Triarc) issued a joint press release announcing that the Securities and Exchange Commission has declared effective the Form S-4 registration statement regarding the companies' proposed merger, the date of the Company's special meeting of shareholders to approve its proposed merger with Triarc and disclosing other information. A copy of the press release is attached hereto as Exhibit 99.1.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits

Exhibit No.	Description
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99.1	Joint press release issued by the Company and Triarc Companies, Inc. dated August 15, 2008.
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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.

WENDY S INTERNATIONAL, INC.

By: /s/ Dana Klein
Dana Klein
Senior Vice President, Associate
General Counsel and Assistant
Secretary

Date: August 15, 2008

EXHIBIT INDEX

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