

Edgar Filing: TRIARC COMPANIES INC - Form 144

TRIARC COMPANIES INC  
Form 144  
July 12, 2001

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, DC 20549

FORM 144

NOTICE OF PROPOSED SALE OF SECURITIES  
PURSUANT TO RULE 144 UNDER THE SECURITIES ACT OF 1933

ATTENTION: Transmit for filing 3 copies of this form concurrently with either placing an order with a broker to execute sale or executing a sale directly with a market maker.

1(a) Name of Issuer (please type or print) (b) IRS Ident.No. (c) S.E.C. File No.  
Triarc Companies, Inc. 38-0471180 1-2207

1(d) Address of Issuer  
Street City State Zip Code (e) Telephone No.  
280 Park Avenue New York NY 10017 (212)451-3000

2(a) Name of Person for (b) IRS (c) Relationship  
Whose Account the Ident. to  
Securities are to No. Issuer  
Be Sold  
Gerald Tsai, Jr. 029-26-2037 Director

2(d) Address Street City State Zip  
781 Fifth Avenue New York NY 10022

OMB APPROVAL

OMB Number: 3235-0101  
Expires: August 31, 2000  
Estimated average burden  
hours per response.....2.0

SEC USE ONLY

DOCUMENT SEQUENCE NO.

CUSIP NUMBER

WORK LOCATION

INSTRUCTION: The person filing this notice should contact the issuer to obtain the I.R.S. Identification Number and the S.E.C. File Number.

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3(a) Title of the Class of Securities To be Sold	(b) Name and Address of Each Broker Through Whom the Securities are to be Offered or Each Market Maker who is Acquiring the Securities	SEC USE ONLY Broker-Dealer File Number	(c) Number of Shares or Other Units to be Sold (See Instr. (c))
Class A Common Stock	Merril Lynch 360 Hamilton Rd. White Plains, NY 10601		14,210
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3(d) Aggregate Market Value (See Instr. 3(d))	(e) Number of Shares or Other Units Outstanding (See Instr.3(e))	(f) Approximate Date of Sale (See Instr. 3(f)) (Mo. Day Yr.)	(g) Name of Each Securities Exchange (See Instr.3(g))
\$358,802.50	20,275,678	07-11-01	New York Stock Exchange
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INSTRUCTIONS:

1. (a) Name of Issuer  
 (b) Issuer's I.R.S. Identification Number  
 (c) Issuer's S.E.C. file number, if any  
 (d) Issuer's address, including zip code  
 (e) Issuer's telephone number, including area code
  
2. (a) Name of person for whose account the securities are to be sold  
 (b) Such person's I.R.S. identification number, if such person is an entity  
 (c) Such person's relationship to the issuer (e.g., officer, director, 10% stockholder, or member of immediate family of any of the foregoing)  
 (d) Such person's address, including zip code
  
3. (a) Title of the class of securities to be sold  
 (b) Name and address of each broker through whom the securities are intended to be sold  
 (c) Number of shares or other units to be sold (if debt securities, give the

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- aggregate face amount)
- (d) Aggregate market value of the securities to be sold as of a specified date within 10 days prior to the filing of this notice
- (e) Number of shares or other units of the class outstanding, or if debt securities the face amount thereof outstanding, as shown by the most recent report or statement published by the issuer
- (f) Approximate date on which the securities are to be sold
- (g) Name of each securities exchange, if any, on which the securities are intended to be sold

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 CONTROL NUMBER.

TABLE I - SECURITIES TO BE SOLD

Furnish the following information with respect to the acquisition of the securities to be sold and with respect to the payment of all or any part of the purchase price or other consideration therefor:

Title of the Class	Date you Acquired	Nature of Acquisition Transaction	Name of Person From Whom Acquired (If gift, also give date donor acquired)
Class A Common Stock	7-1-94 through 6-6-01	Shares issued pursuant to the Company's 1993 and 1998 Equity Participation Plan in lieu of Annual retainer and Board of Directors or Committee meeting attendance fees that would otherwise be payable in cash	Triarc Companies, Inc.

Amount of Securities Acquired	Date of Payment	Nature of Payment
14,210		(See above)

INSTRUCTIONS:

1. If the securities were purchased and full payment therefor was not made in

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cash at the time of purchase, explain in the table or in a note thereto the nature of the consideration given. If the consideration consisted of any note or other obligation, or if payment was made in installments describe the arrangement and state when the note or other obligation was discharged in full or the last installment paid.

2. If within two years after the acquisition of the securities the person for whose account they are to be sold had any short positions, put or other option to dispose of securities referred to in paragraph (d) (3) of Rule 144, furnish full information with respect thereto.

**TABLE II - SECURITIES SOLD DURING THE PAST 3 MONTHS**

Furnish the following information as to all securities of the issuer sold during the past 3 months by the person for whose account the securities are to be sold.

Name and Address Of Seller	Title of Securities Sold	Date of Sale	Amount of Securities Sold	Gross Proceeds
NONE				

**REMARKS:**

**INSTRUCTIONS:**

See the definition of "person" in paragraph (a) of Rule 144. Information is to be given not only as to the person for whose account the securities are to be sold but also as to all other persons included in that definition. In addition, information shall be given as to sales by all persons whose sales are required by paragraph (e) of Rule 144 to be aggregated with sales for the account of the person filing this notice.

**ATTENTION:**

The person for whose account the Securities to which this notice relates are to be sold hereby represents by signing this notice that he does not know any material adverse information in regard to the current and prospective operations of the Issuer of the securities to be sold which has not been publicly disclosed.

July 11, 2001

/s/ Gerald Tsai, Jr.

Date of Notice

Signature

The notice shall be signed by the person for whose account the securities are to be sold. At least one copy of the notice shall be manually signed. Any copies not manually signed shall bear typed or printed signatures.

**ATTENTION: Intentional misstatements or omission of facts constitute Federal Criminal Violations (See 18 U.S.C. 1001)**