

LUBYS INC  
Form DEFA14A  
January 07, 2008

**UNITED STATES**  
**SECURITIES & EXCHANGE COMMISSION**

**Washington, D.C. 20549**

**SCHEDULE 14A**

**Proxy Statement pursuant to Section 14(a) of the**  
**Securities Exchange Act of 1934**

Filed by the Registrant  Filed by a Party other than the Registrant

Check the appropriate box:

Preliminary Proxy Statement

**Confidential, for Use of the Commission Only (as permitted by Rule 14a-6(e)(2))**

Definitive Proxy Statement

Definitive Additional Materials

Soliciting Material Under Rule 14a -12

**Luby s, Inc.**

---

(Name of Registrant as Specified in Its Charter)

Edgar Filing: LUBYS INC - Form DEFA14A

---

(Name of Person(s) Filing Proxy Statement, if other than the Registrant)

Payment of Filing Fee (Check the appropriate box):

No fee required

Fee computed on table below per Exchange Act Rules 14a-6(i)(1) and 0-11

(1) Title of each class of securities to which transaction applies:

---

(2) Aggregate number of securities to which transaction applies:

---

(3) Per unit price or other underlying value of transaction computed pursuant to Exchange Act Rule 0-11 (set forth the amount on which the filing fee is calculated and state how it was determined):

---

(4) Proposed maximum aggregate value of transaction:

---

(5) Total fee paid:

---

Fee paid previously with preliminary materials.

Check box if any part of the fee is offset as provided by Exchange Act Rule 0-11(a)(2) and identify the filing for which the offsetting fee was paid previously. Identify the previous filing by registration statement number, or the Form or Schedule and the date of its filing.

(1) Amount Previously Paid:

---

(2) Form, Schedule or Registration Statement No.:

Edgar Filing: LUBYS INC - Form DEFA14A

---

(3) Filing Party:

---

(4) Date Filed:

---

The following letter from Chris Pappas, President and CEO of Luby's, Inc., appeared on page B-6 of the January 7, 2008 edition of the *Houston Chronicle*:

**Why Luby's is putting up fight**

We appreciate the Chronicle's close coverage of Luby's and the proxy fight being waged by New York City-based hedge fund and dissident shareholder Ramius Capital. (Please see "Proxy adviser backs Luby's board," *Business Digest*, Jan. 4.)

Luby's is a treasured icon for Houston and Texas, where you can always go for good food, made from scratch, served by familiar faces you know and trust, in a place you can call home.

Since my brother Harris and I joined Luby's in 2001, we have worked diligently to reposition how Luby's does business. We have refined our operations, enhanced our menu, grown sales, paid off debt and returned the company to profitability in a very competitive restaurant industry. Now all of us at Luby's are focused on growing our business and enhancing the dining experience for our customers.

Ramius, on the other hand, doesn't care about Luby's history or our future. Ramius doesn't bring relevant restaurant experience, only a risky notion to strip Luby's of its real estate assets, the kind of short-term financial scheme typical of Wall Street thinking. If Ramius disrupts our strategic growth plans, our valued customers and shareholders will ultimately lose—that's why we're working so hard to protect this great Texas company.

CHRIS PAPPAS

president and CEO, Luby's Inc., Houston

**Additional Information**

In connection with the solicitation of proxies, Luby's has filed with the Securities and Exchange Commission (the "SEC") a definitive proxy statement on November 29, 2007 (the "Proxy Statement"). **The Proxy Statement contains important information about Luby's and the 2008 Annual Meeting of Shareholders. Luby's shareholders are urged to read the Proxy Statement carefully.**

On November 29, 2007, Luby's began the process of mailing the Proxy Statement, together with a WHITE proxy card. Shareholders may obtain additional free copies of the Proxy Statement and other documents filed with the SEC by Luby's through the website maintained by the SEC at [www.sec.gov](http://www.sec.gov). The Proxy Statement and other relevant documents also may be obtained free of charge from Luby's by contacting Investor Relations in writing at Luby's, Inc., 13111 Northwest Freeway, Suite 600, Houston, Texas 77040; or by phone at 713-329-6808; or by email at [investors@lubys.com](mailto:investors@lubys.com). The Proxy Statement is also available on Luby's website at [www.lubys.com/06aboutusFilings.asp](http://www.lubys.com/06aboutusFilings.asp). The contents of the websites referenced above are not deemed to be incorporated by reference into the Proxy Statement. In addition, copies of the

Proxy Statement may be requested by contacting the Company's proxy solicitor, MacKenzie Partners, Inc., by phone toll-free at 1-800-322-2885.

Luby's and its directors and executive officers and other members of management and employees may be deemed to be participants in the solicitation of proxies in connection with the 2008 Annual Meeting of Shareholders. Investors can find information about Luby's directors and executive officers in the Proxy Statement.

#### **Forward-Looking Statements**

This document contains statements that are forward-looking statements within the meaning of Section 27A of the Securities Act of 1933, as amended, and Section 21E of the Securities Exchange Act of 1934, as amended. All statements contained in this document, other than statements of historical fact, are forward-looking statements for purposes of these provisions, including any statements regarding plans for expansion of the Company's business, the implementation of the Company's strategic growth plan and the effect of alternative business plans. Forward-looking statements by their nature involve substantial risks and uncertainties that could significantly affect expected results, and actual future results could differ materially from those described in such statements. Some of the factors that could cause actual future results to differ materially are described under the caption Risk Factors in the Company's annual reports on Form 10-K and quarterly reports on Form 10-Q, which may be obtained free of charge at the SEC's website at [www.sec.gov](http://www.sec.gov) or from Luby's at [www.lubys.com](http://www.lubys.com).