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Wendy's Co Form 8-K March 01, 2012

# 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): March 1, 2012

# THE WENDY S COMPANY

(Exact name of registrant as specified in its charter)

**Delaware** (State or other jurisdiction

1-2207 (Commission

38-0471180 (IRS Employer

of incorporation) File Number) Identification No.)

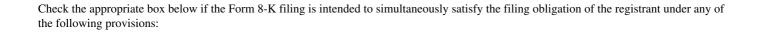
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One Dave Thomas Blvd.,

Dublin, Ohio 43017 (Address of principal executive offices) (Zip Code) Registrant s telephone number, including area code: (614) 764-3100

#### Not Applicable

(Former name or former address, if changed since last report.)



- 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 7.01 Regulation FD Disclosure.

On March 1, 2012, management of The Wendy s Company (the Company) gave a slide presentation during the Company s fiscal 2011 fourth quarter and full year earnings conference call. The presentation materials are attached hereto as Exhibit 99.1 and incorporated herein by reference. These materials may also be used by the Company at one or more subsequent conferences with analysts and investors.

The information contained in the attached presentation materials is summary information that is intended to be considered in the context of the Company s Securities and Exchange Commission filings and other public announcements. The Company undertakes no duty or obligation to publicly update or revise this information, although it may do so from time to time.

The information in this Current Report on Form 8-K, including the exhibit furnished pursuant to Item 9.01, shall not be deemed filed for the purposes of Section 18 of the Securities Exchange Act of 1934 or otherwise subject to the liabilities under that section. Furthermore, the information in this Current Report on Form 8-K, including the exhibit furnished pursuant to Item 9.01, shall not be deemed to be incorporated by reference into the filings of the Company under the Securities Act of 1933.

#### Item 9.01 Financial Statements and Exhibits.

#### (d) Exhibits.

#### Exhibit No. Description

99.1 Earnings conference call slide presentation materials used beginning on March 1, 2012.

#### **SIGNATURES**

Pursuant to the requirements of the Securities and Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

### THE WENDY S COMPANY

Date: March 1, 2012 By: /s/ Dana Klein

Dana Klein

Senior Vice President Corporate and Securities Counsel, and

Assistant Secretary

# EXHIBIT INDEX

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