

# AFC ENTERPRISES INC

## FORM 8-K (Current report filing)

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Address	5555 GLENRIDGE CONNECTOR, NE, SUITE 300 ATLANTA, GA 30342
Telephone	4044594450
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SIC Code	5812 - Eating Places
Industry	Restaurants
Sector	Services
Fiscal Year	12/30

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**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, DC 20549**

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**FORM 8-K**

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**CURRENT REPORT  
PURSUANT TO SECTION 13 OR 15(D)  
OF THE SECURITIES EXCHANGE ACT OF 1934**

Date of report (Date of earliest event reported) June 17, 2013

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**AFC Enterprises, Inc.**

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(Exact Name of Registrant as Specified in Its Charter)

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**Minnesota**

(State or Other Jurisdiction  
of Incorporation)

**000-32369**

(Commission  
File Number)

**58-2016606**

(IRS Employer  
Identification No.)

**400 Perimeter Center Terrace, Suite 1000, Atlanta, Georgia**

(Address of Principal Executive Offices)

**30346**

(Zip Code)

**(404) 459-4450**

(Registrant's Telephone Number, Including Area Code)

**Not applicable**

(Former Name or Former Address, if Changed Since Last Report)

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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 June 17, 2013, AFC Enterprises, Inc. (the “Company”) announced that Cheryl Bachelder, the Company’s chief executive officer, has established a new trading plan in accordance with Rule 10b5-1 of the Securities Exchange Act. This trading plan is described in the Company’s press release which is attached hereto as Exhibit 99.1 and incorporated herein by reference.

**Item 9.01. Financial Statements and Exhibits.**

(d) Exhibits.

99.1 Press release, dated June 17, 2013.

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**SIGNATURES**

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.

AFC Enterprises, Inc.

Date: June 17, 2013

By: /s/ Harold M. Cohen

Harold M. Cohen  
Senior Vice President, General Counsel,  
Chief Administrative Officer and Corporate  
Secretary

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## EXHIBIT INDEX

<u>Exhibit Number</u>	<u>Description</u>
99.1	Press Release, dated June 17, 2013.



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**NEWS RELEASE**

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**AFC ENTERPRISES, INC. CHIEF EXECUTIVE OFFICER  
ADOPTS NEW 10b5-1 TRADING PLAN**

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AFC Enterprises, Inc. (NASDAQ: AFCE) today announced that Cheryl Bachelder, Chief Executive Officer, has established a new trading plan in accordance with Rule 10b5-1 of the Securities Exchange Act. Rule 10b5-1 permits individuals who are not then in possession of material non-public information to establish pre-arranged plans to buy or sell stock. The rule allows individuals to buy or sell shares of stock at a specific price in the future, regardless of any subsequent material non-public information.

This plan was adopted to enable Ms. Bachelder to continue to exercise and sell a portion of her AFCE stock options over time as part of Ms. Bachelder's long-term strategy for asset diversification and tax management. Utilizing this type of plan, Ms. Bachelder can gradually diversify her investment portfolio, spreading stock trades out over an extended period of time, reducing market impact. If all sales in this plan are transacted, Ms. Bachelder's holdings will continue to remain in excess of the company's stock holding policy of 4 times her base salary.

The trading plan goes into effect September 2, 2013 and will expire on April 11, 2014. The new trading plan will replace Ms. Bachelder's current trading plan, which expires on August 30, 2013. Under the new plan, Ms. Bachelder intends to exercise up to 168,338 stock options, subject to the market price of the company's common stock, which were granted in November of 2007 and are set to expire in November of 2014, all as set forth in her trading plan.

**Corporate Profile**

AFC Enterprises, Inc. is the franchisor and operator of Popeyes® restaurants, the world's second-largest quick-service chicken concept based on number of units. As of April 21, 2013, Popeyes had 2,119 operating restaurants in the United States, Guam, Puerto Rico, the Cayman Islands and 28 foreign countries. AFC's primary objective is to deliver sales and profits by offering excellent investment opportunities in its Popeyes brand and providing exceptional franchisee support systems and services to its owners. AFC Enterprises can be found at [www.afce.com](http://www.afce.com).

**Forward Looking Statement**

This press release contains certain "forward-looking statements," as defined under U.S. federal securities laws, with respect to the trading plan described above. These forward-looking statements are based upon current plans and expectations. Readers are cautioned not to place undue reliance on any forward-looking statements. Forward-looking statements are necessarily subject to risks, uncertainties and other factors, many of which are outside the control of the Company. These risks, uncertainties and other factors are described from time to time in the Company's reports filed with the Securities and Exchange Commission. Any forward-looking statement speaks only as of the date on which such statement is made, and the Company undertakes no obligation to update or revise any forward-looking statement, whether as a result of new information, future events or otherwise.



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**NEWS RELEASE**

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**AFC Contact Information**

Investor inquiries:

Rebecca Gardy, Director, Finance & Investor Relations

(404) 459-4673 or [investor.relations@afce.com](mailto:investor.relations@afce.com)

Media inquiries:

Alicia Thompson, Vice President, Popeyes Communications & Public Relations

(404) 459-4572 or [popeyescommunications@popeyes.com](mailto:popeyescommunications@popeyes.com)