

GEIGER DUANE  
Form 4  
February 11, 2009

**FORM 4**

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
GEIGER DUANE

2. Issuer Name and Ticker or Trading Symbol  
STEAK & SHAKE CO [SNS]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)  
36 S. PENNSYLVANIA, SUITE 500  
  
(Street)

3. Date of Earliest Transaction  
(Month/Day/Year)  
02/09/2009

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)  
Interim CFO, VP, Controller

INDIANAPOLIS, IN 46204

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
\_\_\_\_ Form filed by More than One Reporting Person

(City) (State) (Zip)

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

| 1. Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|-----------------------------------|
|                                 |                                      |  | Code                           | V   | Amount  | (A) or (D)   | Price                             |
| Common Stock                    | 02/09/2009                           |  | F                              |   | 1,525   | D  | 6.77                              |
|                                 |                                      |  |                                |   |   |  | \$                                |
|                                 |                                      |  |                                |   |   |  | <u>(4)</u>                        |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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SEC 1474  
(9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**

## Edgar Filing: GEIGER DUANE - Form 4

| 1. Title of Derivative Security (Instr. 3) | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | 5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5) | 6. Date Exercisable and Expiration Date (Month/Day/Year) | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) |              |                            |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--------------|----------------------------|
|  |  |                                      |  |                                |   | Date Exercisable   | Expiration Date   | Title        | Amount or Number of Shares |
|  |  |                                      |  |                                |   | Code   | V   | (A)          | (D)                        |
| Option                                     | \$ 19.75   |                                      |  |                                |   | 09/14/2005 <sup>(1)</sup>                                | 09/14/2010 <sup>(1)</sup>                                     | Common Stock | 4,000                      |
| Option                                     | \$ 17.47   |                                      |  |                                |   | 02/08/2007 <sup>(2)</sup>                                | 02/08/2016 <sup>(2)</sup>                                     | Common Stock | 7,500                      |
| Option                                     | \$ 20.45   |                                      |  |                                |   | 04/07/2006 <sup>(3)</sup>                                | 04/07/2011 <sup>(3)</sup>                                     | Common Stock | 1,954                      |
| Option                                     | \$ 17.17   |                                      |  |                                |   | 09/29/2006 <sup>(3)</sup>                                | 09/29/2011 <sup>(3)</sup>                                     | Common Stock | 4,036                      |
| Option                                     | \$ 17.72   |                                      |  |                                |   | 02/06/2008 <sup>(2)</sup>                                | 02/07/2018 <sup>(2)</sup>                                     | Common Stock | 7,300                      |
| Option                                     | \$ 16.22   |                                      |  |                                |   | 05/11/2007 <sup>(3)</sup>                                | 05/11/2012 <sup>(3)</sup>                                     | Common Stock | 6,982                      |
| Option                                     | \$ 7.48  |                                      |  |                                |   | 04/12/2009 <sup>(2)</sup>                                | 04/12/2018 <sup>(2)</sup>                                     | Common Stock | 16,400                     |

## Reporting Owners

| Reporting Owner Name / Address  | Relationships |           |                             |       |
|---|---------------|-----------|-----------------------------|-------|
|   | Director      | 10% Owner | Officer                     | Other |
| GEIGER DUANE<br>36 S. PENNSYLVANIA<br>SUITE 500<br>INDIANAPOLIS, IN 46204 |               |           | Interim CFO, VP, Controller |       |

## Signatures

David C. Milne, Attorney in Fact 02/11/2009

\_\_Signature of Reporting Person

Date

## Explanation of Responses:

\* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

- (1) These options vest 20% on the date of grant and 20% each anniversary thereof until fully vested.
- (2) These options vest over a five-year period, with 25% vesting on the first anniversary of the date of grant and the remainder vesting on subsequent anniversaries.
- (3) These are re-load options which are granted pursuant to the Company's Employee Stock Option Plan. They vest immediately and have a five-year term.
- (4) These shares were withheld by the Company to pay the tax withholding obligation upon the vesting of 4,400 shares of restricted stock.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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