FAMOUS DAVES OF AMERICA INC
Form 8-K
July 22, 2003

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): July 22, 2003

FAMOUS DAVE'S OF AMERICA, INC.
(Exact name of registrant as specified in its charter)

| Minnesota | 0-21625 | 41-1782300 |
|---|---|---|
| (State or other jurisdiction of incorporation) | (Commission File Number) | (IRS Employer Identification No.) |

| 8091 Wallace Road, Eden Prairie, MN | 55344 |
|---|---|
| (Address of principal executive offices) | (Zip Code) |

(952) 294-1300
(Registrant's telephone number, including area code)

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

ITEM 7. FINANCIAL STATEMENTS AND EXHIBITS

c) Exhibits

99.1 Famous Dave's of America, Inc. Press Release dated July 22, 2003.

ITEM 9. REGULATION FD DISCLOSURE

The information in this section is being furnished to, but not filed with, the Securities and Exchange Commission (the "Commission") solely under Item 12 of Form 8-K, "Results of Operations and Financial Condition," pursuant to interim procedures promulgated by the Commission in Release No. 33-8216 issued March 27, 2003.

On July 22, 2003, Famous Dave's of America, Inc. issued a press release that included financial information for the second quarter of fiscal 2003. In addition to reporting a measure of the Registrant's 2003 second quarter net loss that was in accordance with generally accepted accounting principles, this release also included a non-GAAP financial measure of net income for the quarter that excluded extraordinary charges related to certain under-performing company-operated restaurants, assets disposals and severance payments to former executives. The Registrant believes that the measure of net income exclusive of non-recurring charges for asset disposals and severance payments better reflects the financial performance of the Registrant's on-going operations. In addition, the Registrant believes that a measure of net income exclusive of charges for certain under-performing company-operated restaurants is useful to investors given the probability of discontinued operations at these locations through a sale or otherwise.

A copy of the press release is attached as Exhibit 99.1 to this Form 8-K.

SIGNATURE

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.

FAMOUS DAVE'S OF AMERICA, INC.

Date: July 22, 2003

By: /s/ Kenneth Stanecki

Name: Kenneth Stanecki
Title: Chief Financial Officer