

TOTAL ENTERTAINMENT RESTAURANT CORP
Form 8-K
January 25, 2005

**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**

January 24, 2005
(Date of earliest event reported)

TOTAL ENTERTAINMENT RESTAURANT CORP.

(Exact name of registrant as specified in its charter)

DELAWARE
(State or other jurisdiction
of incorporation)

000-22753
(Commission File Number)

52-2016614
(IRS Employer Identification No.)

**9300 EAST CENTRAL AVENUE, SUITE 100, WICHITA,
KANSAS**

(Address of principal executive offices)

67206

(Zip Code)

Registrant's telephone number, including area code: **(316) 634-0505**

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:

- ☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
 - ☐ Soliciting material pursuant to Rule 14a-12(b) 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 2.02 Results of Operations and Financial Condition

On January 24, 2005 the registrant issued a press release announcing certain financial information regarding its fourth quarter and the fiscal year ended December 28, 2004, and the matters discussed under 4.02 below, which include the adjustment of historical financial statements. The press release is attached as Exhibit 99.1 hereto.

Item 4.02 Non-Reliance on Previously Issued Financial Statements or a Related Audit Report or Completed Interim Review

(a) On January 24, 2005, the Audit Committee, in consultation with the registrant's independent accountants, concluded that the registrant's historical financial statements should be restated to correct certain errors relating to accounting for leased properties, and that such financial statements should no longer be relied upon. The press release hereto as Exhibit 99.1 announces the intended adjustment to the registrant's historical financial statements and is incorporated in this item 4.02(a) by reference.

Item 9.01. Financial Statements and Exhibits.

Exhibit 99.1. Press release dated January 24, 2005

Exhibit Index

99.1 Press release dated January 24, 2005

SIGNATURE

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

TOTAL ENTERTAINMENT RESTAURANT CORP.

(Registrant)

/s/ JAMES K. ZIELKE

January 24, 2005

(Date)

James K. Zielke

*Chief Financial Officer, Secretary, and Treasurer (Duly
Authorized Officer)*
