

ALPERT MICHAEL E  
Form 4  
June 02, 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 \*  
ALPERT MICHAEL E

2. Issuer Name and Ticker or Trading Symbol  
JACK IN THE BOX INC /NEW/ [JACK]

5. Relationship of Reporting Person(s) to Issuer  
(Check all applicable)

(Last) (First) (Middle)  
9330 BALBOA AVENUE  
(Street)

3. Date of Earliest Transaction (Month/Day/Year)  
06/01/2009

Director  10% Owner  
 Officer (give title below)  Other (specify below)

SAN DIEGO, CA 92123  
(City) (State) (Zip)

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

**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)		
				(A) or (D)	Code	V	Amount	(D)	Price

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)**

1. Title of Derivative Security	2. Conversion or Exercise	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any	4. Transaction Code	5. Number of Derivative Securities	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Security (Instr. 3 and 4)
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(Instr. 3)	Price of Derivative Security	(Month/Day/Year)	(Instr. 8)	Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)							
			Code	V	(A)	(D)	Date Exercisable	Expiration Date	Title		
NON QUALIFIED STOCK OPTION (right to buy)	\$ 9.45	06/01/2009	M		1,000		05/06/2004 <sup>(1)</sup>	11/06/2013	COMMON STOCK		
NON QUALIFIED STOCK OPTION (right to buy)	\$ 9.45	06/01/2009	M		900		05/06/2004 <sup>(1)</sup>	11/06/2013	COMMON STOCK		
NON QUALIFIED STOCK OPTION (right to buy)	\$ 9.45	06/01/2009	M		1,269		05/06/2004 <sup>(1)</sup>	11/06/2013	COMMON STOCK		
NON QUALIFIED STOCK OPTION (right to buy)	\$ 9.45	06/01/2009	M		1,743		05/06/2004 <sup>(1)</sup>	11/06/2013	COMMON STOCK		
NON QUALIFIED STOCK OPTION (right to buy)	\$ 9.45	06/01/2009	M		345		05/06/2004 <sup>(1)</sup>	11/06/2013	COMMON STOCK		
NON QUALIFIED STOCK OPTION (right to buy)	\$ 9.45	06/01/2009	M		1,500		05/06/2004 <sup>(1)</sup>	11/06/2013	COMMON STOCK		
NON QUALIFIED STOCK OPTION (right to buy)	\$ 9.45	06/01/2009	M		100		05/06/2004 <sup>(1)</sup>	11/06/2013	COMMON STOCK		
NON QUALIFIED	\$ 9.45	06/01/2009	M		1,243		05/06/2004 <sup>(1)</sup>	11/06/2013	COMMON STOCK		

STOCK  
OPTION  
(right to buy)

NON  
QUALIFIED  
STOCK \$ 9.45 06/01/2009 M 600 05/06/2004<sup>(1)</sup> 11/06/2013 COMMON  
OPTION STOCK  
(right to buy)

NON  
QUALIFIED  
STOCK \$ 9.45 06/01/2009 M 1,137 05/06/2004<sup>(1)</sup> 11/06/2013 COMMON  
OPTION STOCK  
(right to buy)

NON  
QUALIFIED  
STOCK \$ 9.45 06/01/2009 M 200 05/06/2004<sup>(1)</sup> 11/06/2013 COMMON  
OPTION STOCK  
(right to buy)

NON  
QUALIFIED  
STOCK \$ 9.45 06/01/2009 M 9,963 05/06/2004<sup>(1)</sup> 11/06/2013 COMMON  
OPTION STOCK  
(right to buy)

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
ALPERT MICHAEL E 9330 BALBOA AVENUE SAN DIEGO, CA 92123		X		

## Signatures

STEPHANIE BRINSFIELD by Power of Attorney for Michael E  
Alpert

06/01/2009

\_\_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) The stock option becomes exercisable at 100% commencing six months after the date of grant.

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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