

<p>Y. Liquidated Damages</p>	<p>18.13</p>	<p>Franchisor and Franchisee agree that if this Agreement is terminated as a result of Franchisee's default before the expiration of the Term, it would be impossible to calculate with reasonable precision the losses that would be incurred by Franchisor because of the unpredictability of future business conditions, inflationary prices, the impact on Franchisor's reputation from having closed a franchised business, Franchisor's ability to replace the Franchised Business in the same market and other factors. Accordingly, if this Agreement is terminated as a result of any default by Franchisee, Franchisor will be entitled to recover as liquidated damages, and not as a penalty, an amount equal to the monthly Franchise Fee multiplied by twenty-four (24) full calendar months. Notwithstanding anything contained herein to the contrary, if a court determines that this liquidated damages provision is unenforceable, then Franchisor may pursue all other available remedies</p>
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**ITEM 18**  
**PUBLIC FIGURES**

We do not currently use any public figure to promote our System.

**ITEM 19**  
**FINANCIAL PERFORMANCE REPRESENTATIONS**

The FTC’s Franchise Rule permits a franchisor to provide information about the actual or potential financial performance of its franchised and/or franchisor-owned outlets, if there is a reasonable basis for the information, and if the information is included in the Disclosure Document. Financial performance information that differs from that included in Item 19 may be given only if (1) a franchisor provides the actual records of an existing outlet you are considering buying; or (2) a franchisor supplements the information provided in this Item 19, for example, by providing information about possible performance at a particular location or under particular circumstances.

**Background**

As of December 31, 2025, we had a total of 16 franchisees operating across 62 Protected Territories. Of these 16 franchisees, 12 franchisees were operating 42 Protected Territories and were in business for the entire 2025 calendar year. This Item 19 discloses certain historical financial performance information for those 12 franchisees (the “Reporting Businesses”). 11 of the 12 Reporting Businesses operated in multiple Protected Territories, while 1 of the 12 Reporting Businesses operated in a single Protected Territory. The 4 franchisees that were excluded from this Item 19 were excluded because they were not operational for the entire 2025 calendar year.

## 2025 Financial Performance Information for the Reporting Businesses

This Item sets forth historical Gross Sales and operating results for the Reporting Businesses during the 2025 calendar year (the “Measurement Period”). We obtained these figures from information provided by the Reporting Businesses to us through our proprietary software (the “Software System”) program for the Measurement Period. Franchisees are not required to use generally accepted accounting principles when reporting these figures.

Table 1 of this Item 19 discloses the Aggregate Gross Sales for Group, Average Gross Sales per Group, Highest Gross Sales in Group, Lowest Gross Sales in Group, Median Gross Sales for Group, and Number Exceeding Group Average, for each Tercile “Group” (Top Third, Middle Third, and Bottom Third), during the Measurement Period as reported to us through our Software System by the 11 Reporting Businesses that operated in multiple Protected Territories.

Table 2 sets forth Total Gross Sales, as well as Sales achieved by the group for each tercile within each of the following segments: Fertilization, Irrigation, Landscaping, and Other, as reported to us through our Software System by the 11 Reporting Businesses that operated in multiple Protected Territories.

Table 3 sets forth the Average Ticket and Number of Jobs performed by the group for each tercile within each of the following segments: Fertilization, Irrigation, Landscape, and Other, as reported to us through our Software System by the 11 Reporting Businesses that operated in multiple Protected Territories.

Table 4 and Table 5 each set forth the same information as Table 2 and Table 3 respectively, as reported to us through our Software System by the 1 Reporting Business that operated in a single Protected Territory.

We will provide you with written substantiation for the financial performance representation upon reasonable request.

**TABLE 1**

<b>Tercile</b>	<b># of Franchisees in Group</b>	<b># of Territories</b>	<b>Aggregate Gross Sales for Group</b>	<b>Average Gross Sales per Group</b>	<b>Highest Gross Sales in Group</b>	<b>Lowest Gross Sales in Group</b>	<b>Median Gross Sales for Group</b>	<b>Number Exceeding Group Average</b>
<b>Top Third</b>	4	18	\$ 5,211,490	\$ 1,302,873	\$ 2,968,775	\$ 621,301	\$ 810,707	1
<b>Middle Third</b>	3	9	\$ 1,213,914	\$ 404,638	\$ 516,396	\$ 302,075	\$ 395,443	1
<b>Bottom Third</b>	4	14	\$ 808,692	\$ 202,173	\$ 241,895	\$ 127,178	\$ 219,810	3
<b>Total System</b>	<b>11</b>	<b>41</b>	<b>\$ 7,234,096</b>	<b>\$ 657,645</b>	<b>\$ 2,968,775</b>	<b>\$ 127,178</b>	<b>\$ 395,443</b>	<b>3</b>

**Notes:**

1. In some cases, a franchisee may have increased or decreased its number of Protected Territories during the fiscal year. For purpose of the Table, we include all of the territories operated by a franchisee that were operated the entire time of the Measurement Period.
2. This Table 3 to Item 19 discloses Gross Sales for the Reporting Businesses, divided into groups based on the level of Gross Sales achieved during the Measurement Period (i.e. Top Third, Middle Third, and Bottom Third).
3. **“Gross Sales”** is defined all revenue generated by the Reporting Businesses during the Measurement Period, as reported to us through our Software System by the Reporting Businesses. The term “Gross Sales” does not include (a) tips paid directly to subcontractors or other personnel, or (b) sales tax that is collected directly from customers and paid to the appropriate taxing authority.
4. **“Aggregate Gross Sales for Group”** is defined as the total Gross Sales achieved by the group for each tercile, as reported to us through our Software System by the Reporting Businesses.
5. **“Average Gross Sales per Group”** is defined as the average Gross Sales achieved by the Reporting Businesses within the respective tercile, as reported to us through our Software System by the Reporting Businesses.
6. **“Highest Gross Sales in Group”** is defined as the Gross Sales achieved by the top performing Item 19 Franchisee within the respective tercile, as reported to us through our Software System by the Reporting Businesses.
7. **“Lowest Gross Sales in Group”** is defined as the Gross Sales achieved by the lowest performing Item 19 Franchisee within the respective tercile, as reported to us through our Software System by the Reporting Businesses.
8. **“Median Gross Sales for Group”** is defined as the median Gross Sales achieved by the Reporting Businesses within the respective tercile, as reported to us through our Software System by the Reporting Businesses.
9. **“Number Exceeding Group Average”** is defined as the number of Reporting Businesses within each tercile who are exceeding the tercile group average, as reported to us through our Software System by the Reporting Businesses.

**TABLE 2**

Tercile	# of Franchisees in Group	# of Territories	Total Gross Sales	Sales by Category			
				Fertilization Sales	Irrigation Sales	Landscaping Sales	Other Sales
<b>Top Third</b>	4	18	\$ 5,211,490	\$ 522,936	\$ 979,609	\$ 3,165,074	\$ 543,870
<b>Middle Third</b>	3	9	\$ 1,213,914	\$ 351,954	\$ 509,759	\$ 312,130	\$ 40,071
<b>Bottom Third</b>	4	14	\$ 808,692	\$ 144,823	\$ 208,170	\$ 454,508	\$ 1,191
<b>Total System</b>	<b>11</b>	<b>41</b>	<b>\$ 7,234,096</b>	<b>\$ 1,019,713</b>	<b>\$ 1,697,538</b>	<b>\$ 3,931,712</b>	<b>\$ 585,132</b>

**Notes:**

1. In some cases, a franchisee may have increased or decreased its number of Protected Territories during the fiscal year. For purpose of the Table, we include all of the territories operated by a franchisee that were operated the entire time of the Measurement Period.
2. **“Total Gross Sales”** is defined all revenue generated by the Reporting Businesses over the 2025 calendar year, from January 1, 2025, to December 31, 2025, as reported to us through our Software System by the Reporting Businesses. The term **“Gross Sales”** does not include (a) tips paid directly to subcontractors or other personnel, or (b) sales tax that is collected directly from customers and paid to the appropriate taxing authority.
3. **“Sales by Category: Fertilizer Sales”** is defined as the total gross sales for commercial and residential fertilizer jobs achieved by the group for each tercile during the Measurement Period, as reported to us through our Software System by the Reporting Businesses.
4. **“Sales by Category: Irrigation Sales”** is defined as the total gross sales for commercial and residential irrigation jobs achieved by the group for each tercile during the Measurement Period, as reported to us through our Software System by the Reporting Businesses.
5. **“Sales by Category: Landscaping Sales”** is defined as the total gross sales for commercial and residential landscaping jobs achieved by the group for each tercile during the Measurement Period, as reported to us through our Software System by the Reporting Businesses.
6. **“Sales by Category: Other Sales”** is defined as the total gross sales for other commercial and residential jobs achieved by the group for each tercile during the Measurement Period, which may include snow removal services, mowing services, as reported to us through our Software System by the Reporting Businesses.

**TABLE 3**

Tercile	# of Franchisees in Group	# of Territories	Fertilization		Irrigation		Landscape		Other	
			Average Ticket	# of Jobs	Average Ticket	# of Jobs	Average Ticket	# of Jobs	Average Ticket	# of Jobs
<b>Top Third</b>	4	18	\$ 111	4,696	\$ 301	3,253	\$ 330	9,577	\$ 1,121	485
<b>Middle Third</b>	3	9	\$ 131	2,679	\$ 349	1,462	\$ 347	899	\$ 27	1,459
<b>Bottom Third</b>	4	14	\$ 191	757	\$ 829	251	\$ 203	2,243	\$ 108	11
<b>Total System</b>	11	<b>41</b>	\$ 125	8,132	\$ 342	4966	\$ 309	12719	\$ 299	1955

**Notes:**

1. **“Fertilization Average Ticket”** is defined as the average dollars spent per transaction for fertilization jobs performed by the group for each tercile during the Measurement Period, as reported to us by Reporting Businesses.
2. **“Fertilization # of Jobs”** is defined as the total number of fertilization jobs performed by the group for each tercile during the Measurement Period, as reported to us through our Software System by the Reporting Businesses.
3. **“Irrigation Average Ticket”** is defined as the average dollars spent per transaction for irrigation jobs performed by the group for each tercile during the Measurement Period, as reported to us through our Software System by the Reporting Businesses.
4. **“Irrigation # of Jobs”** is defined as the total number of irrigation jobs performed by the group for each tercile during the Measurement Period, as reported to us through our Software System by the Reporting Businesses.
5. **“Landscape Average Ticket”** is defined as the average dollars spent per transaction for landscape jobs performed by the group for each tercile during the Measurement Period, as reported to us through our Software System by the Reporting Businesses.
6. **“Landscape # of Jobs”** is defined as the total number of landscape jobs performed by the group for each tercile during the Measurement Period, as reported to us through our Software System by the Reporting Businesses.
7. **“Other Average Ticket”** is defined as the average dollars spent per transaction for other jobs performed by the group for each tercile during the Measurement Period, as reported to us through our Software System by the Reporting Businesses.
8. **“Other # of Jobs”** is defined as the total number of other jobs performed by the group for each tercile during the Measurement Period, as reported to us through our Software System by the Reporting Businesses.

**TABLE 4**

Reporting Location	# of Territories	Year Opened	Total Gross Sales	Sales by Category			
				Fertilization Sales	Irrigation Sales	Landscaping Sales	Other Sales
HLC-129	1	2023	\$ 238,313	\$ 55,963	\$ 39,726	\$ 103,994	\$ 38,630

**TABLE 5**

Reporting Location	# of Territories	Year Opened	Fertilization		Irrigation		Landscape		Other	
			Average Ticket	# of Jobs	Average Ticket	# of Jobs	Average Ticket	# of Jobs	Average Ticket	# of Jobs
HLC-129	1	2023	\$ 161	348	\$ 509	78	\$ 1,600	65	\$ 208	186

**Assumptions and Additional Notes:**

1. The Item 19 historical financial performance representation included in this Item includes certain reported performance information reported by the Reporting Businesses during the Measurement Period only.
2. The financial information presented in this Item 19 does not disclose any cost, expense or profit information.

**Some outlets have earned this amount. Your individual results may differ. There is no assurance you'll earn as much.**

Other than the preceding financial performance representation, HPB Lawn Care LLC does not make any financial performance representations. We also do not authorize our employees or representatives to make any such either orally or in writing. If you are purchasing an existing outlet, however, we may provide you with the actual records of that outlet. If you receive any other financial performance information or projections of your future income, you should report it to the franchisor's management by contacting the Legal Department at 2525 N. 117<sup>th</sup> Avenue, Third Floor, Omaha, Nebraska 68164 and 1 (800) 490-8991, the Federal Trade Commission, and the appropriate state regulatory agencies.

**ITEM 20**  
**OUTLETS AND FRANCHISEE INFORMATION**

For purposes of this Item 20, each Protected Territory that a franchisee receives under a Franchise Agreement is considered an "Outlet."

**Table No. 1:**  
**System-wide Outlet Summary For years 2023 to 2025**

Outlet Type	Year	Outlets at the Start of the Year	Outlets at the End of the Year	Net Change
<b>Franchised</b>	<b>2023</b>	<b>20</b>	<b>65</b>	<b>+45</b>