

<b>PROVISION</b>	<b>SECTION IN FRANCHISE OR OTHER AGREEMENT</b>	<b>SUMMARY</b>
t. Integration/merger clause	Section 10.11	Only terms of Development Agreement are binding (subject to state law); any representations or promises outside the disclosure document and development agreement may not be enforceable. However, nothing in the Development Agreement or any related agreement is intended to disclaim our representations made in this Disclosure Document.
u. Dispute resolution by negotiation, mediation & arbitration	Section 10.06	All claims, disputes and controversies shall be arbitrated on demand by either party.
v. Choice of forum	Section 10.05	If dispute is not arbitrated, then Florida State and Federal courts (subject to state law, see Exhibits I and J).
w. Choice of law	Section 10.07	Subject to state law, Florida law applies generally, except for applicable franchise laws of other states (see Exhibits I and J).

## **ITEM 18 PUBLIC FIGURES**

We do not use any public figure to promote the sale of our franchises.

## **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 the information is included in the Franchise 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 performance at a particular location or under particular circumstances.

The following financial performance representation is a historic representation based on the past performance of existing Restaurants.

## Statements of Average Net Sales of Checkers Restaurants

**TABLE A**  
**ALL CHECKERS RESTAURANTS**

Category of Restaurant	Average Net Sales 2023 Fiscal Year	Number of Restaurants	% Attaining or Exceeding Average	Median Net Sales 2023 Fiscal Year	Low and High Net Sales
<b><i>ALL CHECKERS RESTAURANTS</i></b>					
Company-owned	\$1,181,657	124	60 or 48%	\$1,175,730	\$587,515 - \$1,889,817
Franchised	\$1,099,430	352	161 or 46%	\$1,072,227	\$260,171 - \$3,058,795
<b><i>SITE BUILT OR CONVERSION RESTAURANT</i></b>					
Company-owned	\$1,181,657	124	60 or 48%	\$1,175,730	\$587,515 - \$1,889,817
Franchised	\$1,166,245	301	131 or 44%	\$1,110,538	\$260,171 - \$3,058,795
<b><i>ENDCAP STRIP-CENTER &amp; GAS/CONVENIENCE RESTAURANT</i></b>					
Company-owned	-	-	-	-	-
Franchised	\$613,490	28	10 or 36%	\$582,020	\$273,765 - \$1,244,612
<b><i>NON-TRADITIONAL, WALMART OR IN-LINE RESTAURANT IN HIGH DENSITY MARKET</i></b>					
Company-owned	-	-	-	-	-
Franchised	\$816,602	23	12 or 52%	\$901,660	\$299,750 - \$1,438,753

**TABLE B**  
**FIRST YEAR OF OPERATION FOR NEW CHECKERS RESTAURANTS**

Category of Restaurant	Average Net Sales During First 52-week Period of Operations	Number of Restaurants	% Attaining or Exceeding Average	Median Net Sales During First 52-week Period of Operations	Low and High Net Sales
<b><i>ALL CHECKERS RESTAURANTS</i></b>					
Company-owned	\$1,122,517	2	1 or 50%	\$1,122,517	\$780,241 - \$1,464,793
Franchised	\$1,232,695	37	20 or 54%	\$1,294,318	\$319,740 - \$1,937,391
<b><i>SITE BUILT OR CONVERSION RESTAURANT</i></b>					
Company-owned	\$1,122,517	2	1 or 50%	\$1,122,517	\$780,241 - \$1,464,793
Franchised	\$1,318,043	33	17 or 52%	\$1,339,939	\$386,512 - \$1,937,391
<b><i>ENDCAP STRIP-CENTER &amp; GAS/CONVENIENCE RESTAURANT</i></b>					
Company-owned	-	-	-	-	-
Franchised	\$492,890	2	1 or 50%	\$492,890	\$396,634 - \$589,146

Category of Restaurant	Average Net Sales During First 52-week Period of Operations	Number of Restaurants	% Attaining or Exceeding Average	Median Net Sales During First 52-week Period of Operations	Low and High Net Sales
<b><i>NON-TRADITIONAL, WALMART OR IN-LINE RESTAURANT IN HIGH DENSITY MARKET</i></b>					
Company-owned	-	-	-	-	-
Franchised	\$564,252	2	1 or 50%	\$564,252	\$319,740 - \$808,763

As used in this Item 19, “Net Sales” means all revenue derived from operating the Franchised Restaurant, including the aggregate of all sales amounts from food, beverages and other products sold and services rendered at the Premises or otherwise rendered in connection with the Franchised Restaurant, and all monies derived from sales at or away from the Franchised Restaurant, whether from cash, check, credit or debit card, barter exchange, trade credit, or other credit transactions, but: (1) excluding all federal, state or municipal sales, use or service taxes collected from customers and paid to the appropriate taxing authority; and (2) reduced by the amount of any documented refunds, credits, allowances, adjustments, promotional discounts, and charge-backs the Franchised Restaurant provides to customers in good faith. Table A comprises Net Sales information for the 124 company-owned Checkers Restaurants and the 352 franchised Checkers Restaurants that were open and operating for at least 350 days during the 52-week period ending January 1, 2024 (the “2023 Fiscal Year”). Table A does not include the Net Sales for 10 company-owned and 51 franchised Checkers Restaurants that were open for less than 350 days during the 2023 Fiscal Year and 25 franchised Checkers Restaurants that were previously considered temporarily closed but which are now permanently closed.

Table B comprises Net Sales information during the first 52-week period of operations for the 2 company-owned Checkers Restaurant and the 37 franchised Checkers that opened between January 2021 and January 2024. Table B does not include the Net Sales for 2 company-owned Checkers Restaurants and 10 franchised Checkers because they did not have a full 52-week period of operation.

For purposes of this Item 19, “Average Net Sales” means the mean average amount of reported Net Sales, and “Median Net Sales” means the midpoint amount of reported Net Sales. The Net Sales figures for franchised Checkers Restaurants were derived from unaudited financial reports submitted by franchisees for the purpose of computing royalties. We compiled the Net Sales figures for company-owned Checkers Restaurants on the basis of generally accepted accounting principles, consistently applied.

**Statements of Average Net Sales of Rally's Restaurants**

**TABLE A  
ALL RALLY'S RESTAURANTS**

Category of Restaurant	Average Net Sales 2023 Fiscal Year	Number of Restaurants	% Attaining or Exceeding Average	Median Net Sales 2023 Fiscal Year	Low and High Net Sales
<b><i>ALL RALLY'S RESTAURANTS</i></b>					
Company-owned	\$1,086,489	111	51 or 46%	\$1,052,378	\$586,581 - \$2,484,021
Franchised	\$1,125,998	166	73 or 44%	\$1,012,192	\$288,637 - \$2,409,124
<b><i>SITE BUILT OR CONVERSION RESTAURANT</i></b>					
Company-owned	\$1,086,489	111	51 or 46%	\$1,052,378	\$586,581 - \$2,484,021
Franchised	\$1,154,616	156	69 or 44%	\$1,047,467	\$332,457 - \$2,409,124
<b><i>ENDCAP STRIP-CENTER &amp; GAS/CONVENIENCE RESTAURANT</i></b>					
Company-owned	-	-	-	-	-
Franchised	\$810,807	5	2 or 40%	\$709,818	\$411,396 - \$1,450,161
<b><i>NON-TRADITIONAL, WALMART OR IN-LINE RESTAURANT IN HIGH DENSITY MARKET</i></b>					
Company-owned	-	-	-	-	-
Franchised	\$548,319	5	3 or 60%	\$634,219	\$288,637 - \$675,920

**TABLE B  
FIRST YEAR OF OPERATIONS FOR NEW RALLY'S RESTAURANTS**

Category of Restaurant	Average Net Sales During First 52-week Period of Operations	Number of Restaurants	% Attaining or Exceeding Average	Median Net Sales During First 52-week Period of Operations	Low and High Net Sales
<b><i>ALL RALLY'S RESTAURANTS</i></b>					
Company-owned	\$1,705,063	1	1 or 100%	\$1,705,063	\$1,705,063 - \$1,705,063
Franchised	\$1,351,215	19	7 or 37%	\$1,280,696	\$597,533 - \$2,392,724
<b><i>SITE BUILT OR CONVERSION RESTAURANT</i></b>					
Company-owned	\$1,705,063	1	1 or 100%	\$1,705,063	\$1,705,063 - \$1,705,063
Franchised	\$1,393,086	18	7 or 39%	\$1,283,646	\$786,731 - \$2,392,724
<b><i>ENDCAP STRIP-CENTER &amp; GAS/CONVENIENCE RESTAURANT</i></b>					
Company-owned	-	-	-	-	-
Franchised	\$597,533	1	1 or 100%	\$597,533	\$597,533 - \$597,533

Category of Restaurant	Average Net Sales During First 52-week Period of Operations	Number of Restaurants	% Attaining or Exceeding Average	Median Net Sales During First 52-week Period of Operations	Low and High Net Sales
<b><i>NON-TRADITIONAL, WALMART OR IN-LINE RESTAURANT IN HIGH DENSITY MARKET</i></b>					
Company-owned	-	-	-	-	-
Franchised	-	-	-	-	-

Table A comprises Net Sales information for the 111 company-owned Rally's Restaurants and the 166 franchised Rally's Restaurants that were open and operating for at least 350 days during the 2023 Fiscal Year. Table A does not include the Net Sales for the 11 company-owned Rally's Restaurants and 8 franchised Rally's Restaurants that were open for less than 350 days during the 2023 Fiscal Year.

Table B comprises Net Sales information during the first 52-week period of operations for the 1 company-owned Rally's Restaurants and the 19 franchised Rally's Restaurants that opened between January 2021 and January 2024 (each, a "New Rally's Restaurant"). Table B does not include the Net Sales for 3 franchised Rally's Restaurants because they did not have a full 52-week period of operation.

For purposes of this Item 19, "Average Net Sales" means the mean average amount of reported Net Sales, and "Median Net Sales" means the midpoint amount of reported Net Sales. The Net Sales figures for franchised Rally's Restaurants were derived from unaudited financial reports submitted by franchisees for the purpose of computing royalties. We compiled the Net Sales figures for company-owned Rally's Restaurants on the basis of generally accepted accounting principles, consistently applied.

**FIRST YEAR OF OPERATIONS FOR COMPANY-OWNED NEW CHECKERS AND RALLY'S RESTAURANTS**

**Statement of Gross Margin (Company-Owned Checkers and Rally's Restaurants)**

	Average New Restaurant	% of Net Sales	Median New Restaurant	# and % Attaining or Exceeding Average	High / Low
NET SALES	\$1,198,310	100%	\$1,249,509	5 or 71%	\$696,039 - \$1,706,060
FOOD & PAPER COSTS (1)	\$361,956	30%	\$373,721	4 or 57%	\$208,981 - \$497,026
LABOR AND BENEFIT COSTS (2)	\$349,671	29%	\$338,592	3 or 43%	\$270,098 - \$422,157

	<b>Average New Restaurant</b>	<b>% of Net Sales</b>	<b>Median New Restaurant</b>	<b># and % Attaining or Exceeding Average</b>	<b>High / Low</b>
<b>GROSS MARGIN (3)</b>	\$486,683	41%	\$535,259	5 or 71%	\$183,740 - \$786,877
<b>ROYALTIES, OCCUPANCY AND OPERATING COSTS</b>	\$326,583	27%	\$346,691	4 or 57%	-\$167,381 - \$411,537

- (1) Food, paper, and packaging costs, less supplier rebates
- (2) Wages, bonuses, payroll taxes, workers compensation, medical insurance, and other benefits
- (3) Gross Margin equals Net Sales less food and paper costs and labor and benefit costs.

The Statement of Gross Margin for New Company Checkers and Rally's Restaurants consists of the reported Net Sales, food and paper costs and labor and benefit costs for 7 company-owned New Checkers and Rally's Restaurants that were open and operating during the entire 2023 Fiscal Year ("New Company Restaurants"). The New Company Restaurants opened between January 2020 and January 2023 and the figures included above represent their operating expenses and Net Sales during each of their first full 13 periods of operation.

Royalties, occupancy and operating costs include rent, property taxes, marketing expenditures (NPF contributions, regional cooperative contributions, and Restaurant-specific promotions), utility costs (electricity, gas, water, and sewer), presumed royalties of 4% of Net Sales, and other routine expenses (maintenance and repairs, supplies, bank charges, uniforms, and other services). Restaurant level EBITDA excludes multi-unit supervision costs typically charged against Restaurant costs for company-owned Checkers and Rally's Restaurants. Each of the presented new Checkers and Rally's Restaurants lease the location for their Checkers and Rally's Restaurant and the average annual rent was \$74,322 and the median annual rent was \$82,510. Rental amounts can vary significantly due to local market factors. "EBITDA" means earnings before interest, taxes, depreciation and amortization.

**Statements of Average Net Sales of Checkers/Rally's Restaurants Open Less Than 350 Days During the 2023 Fiscal Year**

**TABLE A  
ALL RESTAURANTS**

<b>Category of Restaurant</b>	<b>Average Net Sales 2023 Fiscal Year</b>	<b>Number of Restaurants</b>	<b>% Attaining or Exceeding Average</b>	<b>Median Net Sales 2023 Fiscal Year</b>	<b>Low and High Net Sales</b>
Checkers Restaurants	\$502,694	61	24 or 39%	\$353,700	\$5,385 - \$2,149,458
Rally's Restaurants	\$548,648	19	7 or 37%	\$409,844	\$30,238 - \$1,647,319

Table A comprises Net Sales information for the 51 franchised Checkers Restaurants, 10 company-owned Checkers Restaurants, 8 franchised Rally's Restaurants and 11 company-owned Rally's Restaurants that were open and operating for less than 350 during the 2023 Fiscal Year. These restaurants were not open for 350 or more days because they were: (i) temporarily closed for remodeling; (ii) temporarily closed because of hurricane; (iii) temporarily closed for other issues (e.g., fire, staffing issues or supply chain disruption); (iv) closed permanently at some point during the 2023 Fiscal Year; or (v) opened for business after the start of 2023 Fiscal Year. Table A does not include the Net Sales for 25 franchised Checkers Restaurants that were previously considered temporarily closed but which are now permanently closed and which had no sales during the 2023 Fiscal Year.

**General**

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

Written substantiation for the above financial performance representations will be made available to the prospective franchisee upon reasonable request. However, we will not disclose the identity or sales data of any particular Restaurant without the consent of that owner, except to any applicable state registration authorities or except in connection with the sale of a particular existing Restaurant that we own.

Other than the preceding financial performance representations, we do not make any financial performance representations. We also do not authorize our employees or representatives to make any such representations 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 Vincent C. Brockman at 4300 West Cypress Street, Suite 600, Tampa, Florida 33607 or at (813) 283-7000, the Federal Trade Commission, and the appropriate state regulatory agencies.

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

All year-end numbers appearing in the tables below are as of the end of each fiscal year, which are as follows: January 3, 2022 for fiscal year 2021, January 2, 2023 for fiscal year 2022, and January 1, 2024 for fiscal year 2023.

**CHECKERS RESTAURANTS**

Table No. 1

System-wide Outlet Summary For years 2021 to 2023

Column 1 Outlet Type	Column 2 Year	Column 3 Outlets at the Start of the Year	Column 4 Outlets at the End of the Year	Column 5 Net Change
Franchised	2021	428	414	-14
	2022	414	414	0
	2023	414	378	-36
Company-Owned	2021	138	139	+1
	2022	139	132	-7
	2023	132	126	-6
Total Outlets	2021	566	553	-13
	2022	553	546	-7
	2023	546	504	-42

Table No. 2\*

Transfers of Outlets from Franchisees to New Owners (other than the Franchisor)  
For years 2021 to 2023

Column 1 State	Column 2 Year	Column 3 Number of Transfers
Alabama	2021	1
	2022	0
	2023	0
Delaware	2021	0
	2022	0
	2023	1