

Provision	Section in franchise or other agreement	Summary
w. Choice of law	18.G of Franchise Agreement	Except for Federal Arbitration Act and other federal law, Delaware law applies to all claims (subject to state law).

Item 18

PUBLIC FIGURES

We do not use any public figure to promote our franchise.

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.

Before April 2023, our franchisees could purchase rights to develop and operate a Heavyweight Waste Business in more than 1 Territory under a single Franchise Agreement. As of April 2023, our franchisees must sign a separate Franchise Agreement for each Territory. The table below only shows data for Covered Businesses that operate under the old model. As a result, we have indicated the number of Territories in which each Covered Business had the right to operate as of December 31, 2023. In some instances, franchisees have purchased the rights to operate in several Territories but have not yet expanded to operate in all of those Territories. In these circumstances, we have reported the number of Territories that the applicable Franchise Agreement covers and in which the franchisee has the right to operate, even if the franchisee does not yet operate in all such Territories.

As of December 31, 2023, we had affiliate-owned Heavyweight Waste Businesses open and operating in 16 Territories and franchised Heavyweight Waste Businesses open and operating in 9 Territories. Of the franchised Heavyweight Waste Businesses, 1 Heavyweight Waste Business (covering 2 Territories) was not open for a full year as of December 31, 2023 and is therefore excluded from the historical report below. In addition, 1 franchised Heavyweight Waste Business (covering 3 Territories) is excluded from the historical report below because: (a) one of its Territories was acquired from our affiliate in 2023, (b) the remaining 2 Territories were not open for a full year as of December 31, 2023, and (c) the franchisee did not report the necessary data to us. No franchised Heavyweight Waste Businesses closed between January 1, 2023 and December 31, 2023. Of the affiliate-owned Heavyweight Waste Businesses, 1 Heavyweight Waste Business (covering 1 Territory) closed during 2023 and is therefore excluded from the historical report below. In addition, 1 Heavyweight Waste Business (covering 1 Territory) was acquired by a franchisee in 2023 and is therefore excluded from the historical report below. The table below

includes the 3 affiliate-owned Heavyweight Waste Businesses (covering, in the aggregate, 16 Territories) and 2 franchised Heavyweight Waste Businesses (covering, in the aggregate, 4 Territories) that were open for at least 1 full year as of December 31, 2023 (the “**Covered Businesses**”). The report below describes the performance of the Covered Businesses for the 12-month period beginning January 1, 2023 and ending December 31, 2023 (collectively, the “**Covered Period**”). Our affiliates and franchisees reported the below financial data to us.

Other than as stated above and indicated in the notes to the table below, there are no other material financial or operational characteristics that we reasonably anticipate to differ from future operational franchise outlets.

For purposes of this Item 19, “**Gross Sales**” means all revenue that each Heavyweight Waste Business reported receiving or otherwise deriving directly or indirectly from hauling services conducted by the Heavyweight Waste Business, whether from cash, check, credit and debit card, barter, exchange, trade credit, or other credit transactions, including any implied or imputed Gross Sales from any business interruption insurance. However, “Gross Sales” excludes (a) sales taxes, use taxes, and other similar taxes added to the sales price, collected from the customer and paid to the appropriate taxing authority; (b) any bona fide refunds and credits that are actually provided to customers; and (c) the face value of coupons or discounts that customers redeem.

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Franchised Covered Businesses

Location: Fort Myers, Florida

- *Number of Territories as of December 31, 2023: 2*
- *Aggregate Population of all of the Territories as of the effective date of the Franchise Agreement: 415,375*

Time Period	Total Container Count at End of Time Period	Total Number of Hauls During Time Period	Total Tons Hauled During Time Period	Total Gross Sales During Time Period
Jan-23	24	74	431	\$66,446.00
Feb-23	25	68	398	\$68,719.00
Mar-23	26	82	481	\$70,448.00
Apr-23	27	79	541	\$63,213.00
May-23	31	81	531	\$92,143.00
Jun-23	30	83	531	\$84,761.00
Jul-23	31	73	475	\$81,219.00
Aug-23	31	86	587	\$85,562.00
Sep-23	36	65	438	\$82,069.00
Oct-23	38	85	541	\$87,832.00
Nov-23	41	77	482	\$91,943.00
Dec-23	42	79	455	\$94,172.00
2023 Calendar Year	42	932	5,891.00	\$968,527.00

Location: Denver, Colorado

- *Number of Territories as of December 31, 2023: 2*
- *Aggregate Population of all of the Territories as of the effective date of the Franchise Agreement: 430,177*

Time Period	Total Container Count at End of Time Period	Total Number of Hauls During Time Period	Total Tons Hauled During Time Period	Total Gross Sales During Time Period
Jan-23	28	78	388.9	\$45,679.69
Feb-23	28	75	346.27	\$41,479.43
Mar-23	28	81	395.08	\$47,962.03
Apr-23	28	103	564.5	\$65,370.95
May-23	28	88	524.74	\$63,165.67
Jun-23	28	90	513.18	\$62,064.21
Jul-23	28	105	590.73	\$67,558.00
Aug-23	28	94	500.49	\$56,487.31
Sep-23	28	80	456.1	\$50,611.91
Oct-23	28	88	475.87	\$60,195.55
Nov-23	28	85	505.74	\$63,656.29
Dec-23	28	74	399.22	\$47,832.77
2023 Calendar Year	28	1,041	5,660.82	\$672,063.81

Affiliate-Owned Covered Businesses

Location: Birmingham, Alabama

- *Number of Territories as of December 31, 2023: 4*
- *Aggregate Population of all of the Territories as of the opening date: 928,503*

Time Period	Total Container Count at End of Time Period	Total Number of Hauls During Time Period	Total Tons Hauled During Time Period	Total Gross Sales During Time Period
Jan-23	40	77	463.74	\$78,898.00
Feb-23	62	86	481.22	\$79,582.00
Mar-23	67	88	422.93	\$66,131.00
Apr-23	70	108	546.91	\$92,313.00
May-23	74	95	500.26	\$85,294.00
Jun-23	74	110	589.43	\$98,462.00
Jul-23	74	106	608.57	\$97,455.00
Aug-23	94	131	755.32	\$126,442.00
Sep-23	94	128	604.17	\$98,446.94
Oct-23	93	152	747.06	\$111,474.94
Nov-23	94	142	685.8	\$104,826.04
Dec-23	94	127	649.39	\$95,596.06
2023 Calendar Year	94	1,350	7,054.80	\$1,134,920.98

Location: Huntsville, Alabama

- *Number of Territories as of December 31, 2023: 3*
- *Aggregate Population of all of the Territories as of the opening date: 683,291*

Time Period	Total Container Count at End of Time Period	Total Number of Hauls During Time Period	Total Tons Hauled During Time Period	Total Gross Sales During Time Period
Jan-23	38	55	277.24	\$66,364.00
Feb-23	19	71	414.3	\$101,869.00
Mar-23	20	53	309.33	\$78,056.00
Apr-23	21	43	319.11	\$56,807.00
May-23	21	37	228.48	\$51,017.00
Jun-23	21	41	250.52	\$57,178.00
Jul-23	21	33	218.32	\$48,422.00
Aug-23	22	32	208.03	\$41,358.00
Sep-23	22	47	301.04	\$53,461.00
Oct-23	23	43	237.23	\$47,907.20
Nov-23	24	45	249.75	\$55,486.65
Dec-23	24	57	411.94	\$82,167.00
2023 Calendar Year	24	557	3,425.29	\$740,092.85

Location: Indianapolis, Indiana⁽¹⁾

- *Number of Territories as of December 31, 2023: 9*
- *Aggregate Population of all of the Territories as of the opening date: 683,291*

Time Period	Total Container Count at End of Time Period	Total Number of Hauls During Time Period	Total Tons Hauled During Time Period	Total Gross Sales During Time Period
Jan-23	62	75	419.4	\$35,431.00
Feb-23	62	121	725.57	\$101,379.00
Mar-23	67	103	603.12	\$106,443.00
Apr-23	67	110	627.69	\$101,368.00
May-23	74	144	768.18	\$140,583.00
Jun-23	74	148	717.83	\$131,983.00
Jul-23	77	143	743.75	\$114,374.00
Aug-23	84	171	944	\$148,208.00
Sep-23	85	170	877	\$104,476.24
Oct-23	89	185	962	\$126,024.39
Nov-23	89	188	1177	\$144,615.78
Dec-23	89	181	944	\$130,925.09
2023 Calendar Year	89	1,739	9,509.54	\$1,385,810.50

All Covered Businesses

Average Gross Sales for 2023

Average Total Gross Sales	Average Gross Sales Per Haul	Average Gross Sales Per Container	Average Gross Sales Per Ton
\$980,283.03	\$872.29	\$17,694.64	\$155.40

Statistics for Gross Sales for 2023

Total Gross Sales		
High / Low	Median	# / % Exceeding Average
\$1,385,810.50	\$980,283.03	2 / 40%
\$672,063.81		

Gross Sales Per Haul		
High / Low	Median	% Exceeding Average
\$1,328.71	\$930.22	2 / 40%
\$645.59		

Gross Sales Per Ton		
High / Low	Median	% Exceeding Average
\$216.07	\$161.16	2 / 40%
\$118.72		

Gross Sales Per Container		
High / Low	Median	% Exceeding Average
\$2,569.77	\$1,759.07	3 / 60%
\$1,006.14		

Average Container Count, Tons Per Haul, Number of Hauls, Tons Hauled, and Number of Hauls Per Month Per Container for 2023

Average Container Count at End of 2023	Average Tons Per Haul	Average Number of Hauls	Average Total Tons Hauled	Average Number of Hauls Per Month Per Container
55.4	5.61	1,123.80	6,308.29	2.20

Statistics for Container Count, Tons Per Haul, Number of Hauls, Tons Hauled, and Number of Hauls Per Month Per Container for 2023

Container Count at End of 2023		
High / Low	Median	% Exceeding Average
94 24	55	2 / 40%

Tons Per Haul		
High / Low	Median	% Exceeding Average
6.32 5.23	5.72	2 / 40%

Number of Hauls		
High / Low	Median	% Exceeding Average
1,739 557	1,124	2 / 40%

Tons Hauled		
High / Low	Median	% Exceeding Average
9,510 3,425	6,308	2 / 40%

Number of Hauls Per Month Per Container		
High / Low	Median	% Exceeding Average
3.10 1.47	2.20	2 / 40%

Notes:

- (1) The affiliate-owned Heavyweight Waste Business in Indianapolis differs from future operational franchised Heavyweight Waste Businesses because (a) it is run by the same general manager, sales personnel, and drivers as an affiliate-owned Smash My Trash® business in Indianapolis; and (b) we use it to test equipment and train our new franchisees.
- (2) “**Container Count**” is defined as the number of Containers that a Covered Business owns during the applicable time period.
- (3) A “**Haul**” is defined as picking up a Container, disposing of the waste, and either (a) returning the same Container to the site after the waste has been disposed; or (b) replacing the Container with a different, empty Container simultaneously with the pick-up of the original Container.
- (4) “**Tons**” is defined as the number of tons of waste that a Covered Business picked up and disposed of during the applicable time period. In calculating Tons, the weight of the Containers is not included.
- (5) The average total Gross Sales is determined by taking the sum of the Covered Businesses’ reported Gross Sales during the Covered Period and dividing by 5. The median total Gross Sales is determined by sorting the results of the Covered Businesses’ reported Gross Sales during the Covered Period in ascending order and identifying the point above and below which 50% of the data falls.