

ITEM 18. PUBLIC FIGURES

We do not currently use any public figure to promote our franchise system, but we reserve the right to do so in the future.

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, 2022, there were twenty (20) franchised Facilities (each, a “Franchised Facility” and collectively, the “Franchised Facilities”), and nine (9) affiliate-owned Facilities (each, an “Affiliate Facility” and collectively, the “Affiliate Facilities”). This Item sets forth historical Gross Sales and certain operating expense information for (a) nineteen (19) Franchised Facilities, and (b) five (5) Affiliate Facilities that all operate under the Proprietary Marks. This Item excludes data in connection with (i) one (1) Franchised Facility that opened during the 2022 calendar year (the “Measurement Period”), and (ii) four (4) Affiliate Facilities, three of which were reacquired during the Measurement Period and one (1) of which opened during the Measurement Period. At times, the Franchised Facilities and Affiliate Facilities will collectively be referred to as the “Disclosed Facilities.”

Written substantiation for the financial performance representation will be made available upon reasonable request.

A number of factors will affect the success of your franchise. These factors include the current market conditions, the type of market in your franchise area, the location of your franchise area, the competition and your ability to operate the franchise.

The table below presents the following information for each of the nineteen (19) Franchised Facilities, and five (5) Affiliate Facilities over the Measurement Period: (i) the Gross Sales,¹ (ii) year over year change in Gross Sales (2021 v. 2022), (iii) labor costs, (iv) occupancy costs, (v) cost of goods sold, (vi) royalty and marketing fees, and (vii) Gross Sales less Certain Costs.

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REVENUE AND SELECT EXPENSES OF THE FRANCHISED AND AFFILIATE FACILITIES

January 1, 2022 - December 31, 2022

FACILITY	Gross Sales (2021)	Gross Sales (2022)	Year over Year (2021 v. 2022)	Labor	Occupancy Costs	Cost of Goods Sold	Sum of Labor, Occupancy, and COGS	Royalty Fee and Estimated Royalty Fee	LAR and Brand Fund Contribution	Gross Sales Less Certain Costs
Affiliate 1	\$611,404.31	\$856,857.67	40.15%	\$315,302.13	\$89,229.04	\$44,068.85	\$448,600.02	\$51,411.46	\$68,376.82	\$339,880.83
Affiliate 2	\$649,780.05	\$767,231.82	18.08%	\$280,990.55	\$71,239.68	\$42,558.26	\$394,788.49	\$46,033.91	\$60,955.28	\$311,488.05
Affiliate 3	\$582,416.60	\$666,699.56	14.47%	\$268,101.86	\$54,120.00	\$45,144.47	\$367,366.33	\$40,001.97	\$60,932.95	\$238,400.28
Affiliate 4	\$739,917.32	\$949,120.96	28.27%	\$385,916.64	\$94,142.42	\$45,494.44	\$525,553.50	\$56,947.26	\$68,508.39	\$355,059.07
Affiliate 5	\$523,026.34	\$677,875.50	29.61%	\$233,555.36	\$78,966.69	\$41,746.55	\$354,268.60	\$40,672.53	\$59,621.45	\$263,985.45
AFFILIATE AVERAGE	\$621,308.92	\$783,557.10	26.11%	\$296,773.31	\$77,539.57	\$43,802.51	\$418,115.39	\$47,013.43	\$63,678.98	\$301,762.74
AFFILIATE MEDIAN	\$611,404.31	\$767,231.82	28.27%	\$280,990.55	\$78,966.69	\$44,068.85	\$394,788.49	\$46,033.91	\$60,955.28	\$311,488.05
Franchisee 1	\$507,848.00	\$412,601.00	-18.76%	\$141,922.00	\$73,550.00	\$12,310.00	\$227,782.00	\$25,224.86	\$32,834.00	\$126,760.14
Franchisee 2	\$369,148.00	\$391,996.00	6.19%	\$174,230.00	\$71,979.00	\$12,886.00	\$259,095.00	\$22,909.19	\$28,925.00	\$81,066.81
Franchisee 3	\$755,176.47	\$723,686.55	-4.17%	\$227,169.65	\$129,487.30	\$38,908.48	\$395,565.43	\$45,030.85	\$37,135.88	\$245,954.39
Franchisee 4	\$654,179.23	\$700,855.26	7.14%	\$177,078.12	\$101,320.34	\$26,296.10	\$304,694.56	\$40,983.68	\$40,711.28	\$314,465.74
Franchisee 5	\$561,599.90	\$588,068.25	4.71%	\$213,344.88	\$91,670.16	\$19,720.59	\$324,735.63	\$35,679.31	\$34,480.58	\$193,172.73
Franchisee 6	\$611,968.57	\$672,831.82	9.95%	\$217,729.07	\$96,724.07	\$18,242.44	\$332,695.58	\$40,582.14	\$35,720.52	\$263,833.58
Franchisee 7	\$572,400.32	\$585,779.97	2.34%	\$224,321.75	\$91,223.12	\$19,567.57	\$335,112.44	\$35,209.79	\$34,762.75	\$180,694.99
Franchisee 8	\$517,527.75	\$532,546.85	2.90%	\$196,017.99	\$85,549.44	\$21,506.40	\$303,073.83	\$32,088.33	\$35,036.44	\$162,348.25
Franchisee 9	\$391,106.37	\$469,745.63	20.11%	\$193,585.13	\$56,371.50	\$25,303.41	\$275,260.04	\$28,400.50	\$29,750.61	\$136,334.48
Franchisee 10	\$296,095.63	\$337,350.16	13.93%	\$126,247.60	\$53,325.00	\$26,020.54	\$205,593.14	\$20,015.99	\$19,703.00	\$92,038.03

FACILITY	Gross Sales (2021)	Gross Sales (2022)	Year over Year (2021 v. 2022)	Labor	Occupancy Costs	Cost of Goods Sold	Sum of Labor, Occupancy, and COGS	Royalty Fee and Estimated Royalty Fee	LAR and Brand Fund Contribution	Gross Sales Less Certain Costs
Franchisee 11	\$295,907.87	\$305,151.85	3.12%	\$100,151.10	\$64,432.82	\$12,870.83	\$177,454.75	\$18,309.11	\$18,161.32	\$91,226.67
Franchisee 12	\$293,250.04	\$315,650.81	7.64%	\$117,992.06	\$95,535.48	\$11,282.38	\$224,809.92	\$17,371.73	\$7,212.26	\$66,256.90
Franchisee 13	\$724,213.84	\$723,887.51	-0.05%	\$191,297.42	\$127,990.16	\$39,182.00	\$358,469.58	\$43,498.34	\$45,791.23	\$276,128.36
Franchisee 14	\$407,166.76	\$509,029.34	25.02%	\$173,748.83	\$105,468.00	\$29,593.07	\$308,809.90	\$31,420.86	\$20,783.00	\$148,015.58
Franchisee 15	\$330,041.44	\$492,228.66	49.14%	\$149,736.59	\$190,910.80	\$36,961.27	\$377,608.66	\$25,331.83	\$24,722.62	\$64,565.55
Franchisee 16	\$881,875.69	\$823,310.94	-6.64%	\$295,591.20	\$88,000.00	\$37,119.83	\$420,711.03	\$50,681.31	\$42,639.91	\$309,278.69
Franchisee 17	\$850,090.08	\$960,282.21	12.96%	\$310,369.37	\$141,456.48	\$39,739.88	\$491,565.73	\$57,815.17	\$38,324.44	\$372,576.87
Franchisee 18	\$366,793.39	\$376,103.42	2.54%	\$150,316.09	\$56,513.43	\$3,558.87	\$210,388.39	\$22,566.20	\$15,720.75	\$127,428.08
Franchisee 19	\$276,382.77	\$414,566.54	50.00%	\$150,376.55	\$147,618.36	\$24,989.94	\$322,984.85	\$23,553.77	\$21,996.86	\$46,031.06
FRANCHISEE AVERAGE	\$508,566.95	\$543,982.78	9.90%	\$185,853.97	\$98,375.02	\$24,003.14	\$308,232.13	\$32,456.47	\$29,705.92	\$173,588.26
FRANCHISEE MEDIAN	\$507,848.00	\$509,029.34	6.19%	\$177,078.12	\$91,670.16	\$24,989.94	\$308,809.90	\$31,420.86	\$32,834.00	\$148,015.58
TOTAL AVERAGE (FRANCHISED AND AFFILIATE)	\$532,054.10	\$593,894.10	13.28%	\$208,962.16	\$94,034.30	\$28,128.01	\$331,124.48	\$35,489.17	\$36,783.64	\$190,496.81
TOTAL MEDIAN (FRANCHISED AND AFFILIATE)	\$542,313.12	\$586,924.11	\$8.79	\$194,801.56	\$90,226.08	\$26,158.32	\$328,715.61	\$35,444.55	\$34,899.60	\$186,933.86

1. **Gross Sales.** “Gross Sales” means all sales generated through the Disclosed Facility, and includes fees for any goods and services leased or sold by the Disclosed Facility, and all other income of any kind or nature related to their business; except that “Gross Sales” does not include any sales tax collected from the customers and tendered to any taxing authority, and does not include the portion of the normal full price of any goods or services that is not collected by the Disclosed Facility as a result of an authorized sales discount or employee discount.
2. **Year Over Year (2021 v. 2022).** “Year Over Year (2021 v. 2022)” means the percentage difference in Gross Sales by each Disclosed Facility between 2021 and 2022.
3. **Labor.** “Labor” includes amounts paid to employee and management personnel over the Measurement Period, including payroll taxes, benefits and any salary or draw for the owner of the Disclosed Facility.
4. **Occupancy Costs.** “Occupancy Costs” includes all expenses required to occupy the Disclosed Facility, including base gross rent, net real estate taxes paid to landlord, net building insurance paid to landlord and net common area maintenance paid to the landlord.
5. **Costs of Good Sold.** “Costs of Goods Sold” means the amount of money the Disclosed Facility spent on food, supplement and apparel purchases during the Measurement Period.
6. **Sum of Labor, Occupancy, and COGS.** “Sum of Labor, Occupancy, and COGS” includes the Occupancy Costs, Labor Costs, and COGS for each of the Disclosed Facilities. The costs included in this Item 19 include certain expenses which are representative of those incurred by the Disclosed Facility. All costs will vary depending on the local economic conditions of your market, however Occupancy Costs will likely fluctuate more dramatically than other costs based on the local market conditions. We suggest you research the particular real estate market conditions in your area to determine the potential cost associated with securing a location for your franchised business.
7. **Royalty Fee and Estimated Royalty.** “Royalty Fee and Estimated Royalty” means either (i) the actual Royalty Fee that each Franchised Facility paid us, or (ii) the estimated Royalty Fee that each Affiliate Facility would have paid us if it was operating under our current form of Franchise Agreement (6% of Gross Sales).
8. **LAR and Brand Fund Contribution.** “LAR and Brand Fund Contribution” means the Local Advertising expenditures and the Brand Fund Contributions that each Disclosed Location expended over the Measurement Period. Under our current form of Franchise

Agreement, the Franchised Facilities are obligated to expend (i) 5% of Gross Sales or a minimum of \$2,500 each month on Local Advertising, and (ii) 1% of Gross Sales on the Brand Fund.

9. Gross Sales Less Certain Costs. “Gross Sales Less Certain Costs” was calculated by deducting Labor, Occupancy Costs, Cost of Goods Sold, Royalty Fee (or Estimated Royalty Fee, as applicable) LAR and Brand Fund Contribution for each of the Disclosed Facilities from the Gross Sales of that Disclosed Facility.

GENERAL NOTES TO ITEM 19

Your expenses will vary depending upon the location of your business. This analysis does not contain complete information concerning your potential operating costs. Operating costs may differ from business to business. There may be costs and other expenses not identified above. The Affiliate Facilities differ from Franchised Facilities in that Affiliate Facilities are not required to pay us any Initial Fee or ongoing Royalty. The Affiliate Facilities are all operated in the state of Alabama (please see Item 20 for additional information).

Except for the “COGS” “Labor Costs,” and “Occupancy Costs” expenses outlined above for Disclosed Facilities, the earnings claims figures in this Item do not reflect any other operating expenses associated with the operation of the Disclosed Facilities over the Measurement Period (which would otherwise be necessary to obtain net income or profit figures). You should conduct an independent investigation of the costs and expenses you will incur in operating your Franchised Business.

The above figures exclude start-up costs, marketing expenses, and living expenses which you will incur as a franchisee. These figures also exclude the Brand Development Fund contributions and Local Advertising Expenses (see Item 11 and Item 6). There will be other costs and other expenses not identified in this Item 19.

The figures in the Chart above exclude finance charges, interest expense, interest income, depreciation, amortization and other income or expenses, which will vary substantially from business to business, depending on the amount and kind of financing you obtain to establish your Franchised Business. You should consult with your tax advisor regarding depreciation and amortization schedules and the period over which the assets of your Franchised Business may be amortized or depreciated, as well as the effect, if any, of recent or proposed tax legislation.

Revenues and expenses may vary. In particular, the revenues and expenses of your Franchised Business will be directly affected by many factors, such as: (a) your personal attention to the business; (b) continued marketing and advertising; good employee hiring and