

The following states have statutes which may supersede the Franchise Agreement in your relationship with us, including the areas of termination and renewal of your Franchise: ARKANSAS [Stat. Section 70-807], CALIFORNIA [Bus. & Prof. Code Sections 20000-20043], CONNECTICUT [Gen. Stat. Section 42-133e et seq.], DELAWARE [Code, tit.], HAWAII [Rev. Stat. Section 482E-1], ILLINOIS [815 ILCS 705/1 - 44], INDIANA [Stat. Section 23-2-2.7], IOWA [Code Section 523H.1-523H.17], MICHIGAN [Stat. Section 19.854(27)], MINNESOTA [Stat. Section 80C.14], MISSISSIPPI [Code Section 75-24-51], MISSOURI [Stat. Section 407.400], NEBRASKA [Rev. Stat. Section 87-401], NEW JERSEY [Stat. Section 56:10-1], VIRGINIA [Code 13.1-557-574-13.1-564], WASHINGTON [Code Section 19.100.180], and WISCONSIN [Stat. Section 135.03].

These and other states may have court decisions that may supersede the Franchise Agreement in your relationship with us, including the areas of termination and renewal of your franchise.

The following states have statutes which limit our ability to restrict your activity after the Franchise Agreement has ended: California Business and Professional Code Section 16,600, Florida Statutes Section 542.33, Michigan Compiled Laws Section 445.771 et seq., Montana Codes Section 30-14-201, North Dakota Century Code Section 9-08-06, Oklahoma Statutes Section 15-217-19, Washington Code Section 19.86.030. Other states have court decisions limiting our ability to restrict your activity after the Franchise Agreement has ended.

The following states have statutes which restrict or prohibit the imposition of liquidated damage provisions: California [Civil Code Section 1671], Indiana [1C 23-2-2.71-1(10)], Minnesota [Rule 2860.4400J], South Dakota [Civil Law 53-9-5]. Some state courts also restrict the imposition of liquidated damages. The imposition of liquidated damages may also be restricted by fair practice laws, contract law, and state and federal court decisions.

With respect to franchises governed by Minnesota law, the franchisor will comply with Minnesota Statutes, Section 80C.14, and Subds. 3, 4, and 5, which require (except in certain specified cases) that a franchisee be given 90 days' notice of termination (with 60 days to cure) and 180 days' notice for non-renewal of the franchise agreement; and that consent to the transfer of the franchise will not be unreasonably withheld.

ITEM 18. PUBLIC FIGURES

We do not currently 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.

The following figures pertain to the historic financial performance of 18 franchised Eileen's Colossal Cookies outlets which were operational during the entire year of 2023. The average gross sales and average earnings plus owner/manager salary data are derived from the actual historical performance of the 18 franchises that was reported to ECC by each of the franchised outlets. We measure average earnings plus owner/manager salary as the store's 2023 reported net income plus the compensation paid to the owner/manager. Not included in these 2023 averages were four franchised locations which did not report due to a change of ownership during 2023, one franchised location which failed to report, and four franchisor-owned locations.

2023 Average Gross Sales	2023 Avg. Earnings + Owner/Manager Salary	Number of Stores Reporting
\$604,726	\$77,110	18

2023 Median Gross Sales	2023 Median Earnings + Owner/Manager Salary	Number of Stores Reporting
\$573,426	\$48,713	18

Of the 18 franchised outlets, eight attained 2023 gross sales of at least \$604,726, which is 44% of these franchised outlets. Of the 18 franchised outlets, eight attained 2023 earnings plus owner/manager salary of at least \$77,110, which is 44% of these franchised outlets.

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

The 18 franchised locations are located in the states of Colorado (3 franchised outlets), Iowa (2 franchised outlets), Kansas (1 franchised outlet), Minnesota (1 franchised outlet), Missouri (1 franchised outlet), Nebraska (4 franchised outlets), Oklahoma (4 franchised outlets), South Dakota (1 franchised outlet), and Wyoming (1 franchised outlet).

Written substantiation for these representations will be made available to prospective franchisees upon reasonable request.

Other than the preceding financial performance representation, Eileen's Colossal Cookies Franchising, Inc. does 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 Tony Harman 2727 W. 2nd Street, Ste. 322 Hastings, NE 68901 402-462-5983, the Federal Trade Commission, and the appropriate state regulatory agencies.

ITEM 20. OUTLETS AND FRANCHISEE INFORMATION

<u>System Wide Outlet Summary</u> For years 2022 to 2024				
Outlet Type	Year	Outlets at the Start of the Year	Outlets at the End of the Year	Net Change
Franchised	2022	23	23	0
	2023	23	23	0
	2024	23	23	0
Company Owned	2022	4	4	0
	2023	4	4	0
	2024	4	4	0
Total Outlets	2022	27	27	0
	2023	27	27	0
	2024	27	27	0

<u>Transfers of Franchised Outlets to New Owners (other than the Franchisor)</u> For years 2022 to 2024		
State	Year	Number of Transfers
Total	2022	0
	2023	1
	2024	5