

Provision	Section in Franchise Agreement	Summary
s. Modification of the agreement	Section 20.3	Changes to the Franchise Agreement must be made in writing and agreed to by both parties.
t. Integration/merger clause	Section 20.14	Only the terms of the Franchise Agreement are binding (subject to state law). Nothing in the Agreement or in any related agreement is intended to disclaim the representations we made in the Franchise Disclosure Document. Any representations or promises outside the Franchise Disclosure Document and Franchise Agreement may not be enforceable.
u. Dispute resolution by arbitration or mediation	Article 19	Subject to federal and your state's law, all disputes must first be submitted to non-binding mediation in accordance with the commercial mediation rules of the American Arbitration Association ("AAA"). If the mediation is not successful, then the dispute must be submitted to arbitration before the AAA.
v. Choice of forum	Section 19.9	Subject to state law, any arbitration or litigation must be pursued in courts located in Portland, Maine. See any state-specific addendum attached in Exhibit E.
w. Choice of law	Section 19.1	Federal trademark law, and other federal laws govern where applicable. Otherwise, Maine law applies, except where individual state laws supersede, as reflected in any state-specific attachment to the Franchise Agreement, subject to state law.

## **ITEM 18**

### **PUBLIC FIGURES**

Barbara Corcoran (through her entity BCH Holdings, Inc.) owns fifteen percent (15%) of us and of our affiliates, CMLS and CML. She is a business consultant, real estate investor, author, public speaker, and TV personality on ABC television's show "Shark Tank." Ms. Corcoran is an active member of us and of our Affiliates, possessing certain voting rights, but is not involved with day-to-day management. Ms. Corcoran offers experience, advice, and helps us promote the Marks. Ms. Corcoran invested \$55,000 in exchange for her equity ownership interests in us and our Affiliates.

## **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 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.

Below is a historic representation based on the past performance of existing Food Trucks, specifically, the Gross Sales for the period of January 1, 2024, to December 31, 2024, of all franchised Food Trucks open and operating for the full 12-month period, unless noted in the second column. The annual gross sales information was obtained by us directly from franchisees' point of sales systems.

**TABLE 1**

**Fiscal Year 2024 (January 1, 2024 – December 31, 2024)**  
**Annual Gross Sales for Cousins Maine Lobster® Food Trucks owned by franchisees that operated**  
**for a full 12 months (unless noted otherwise)**

#	Average Monthly Sales	Median Monthly Sales	2024 Sales (Total)
1	\$102,689.00	\$101,958.25	\$1,232,268.00
2	\$123,289.50	\$120,425.50	\$1,479,474.03
3	\$91,623.13	\$104,089.50	\$1,099,477.50
4	\$98,457.58	\$101,332.73	\$1,181,490.96
5	\$86,845.46	\$84,192.50	\$1,042,145.50
6	\$93,082.69	\$96,040.38	\$1,116,992.25
7	\$160,116.60	\$158,869.35	\$1,921,399.17
8	\$149,751.37	\$146,814.73	\$1,797,016.45
9	\$121,996.56	\$130,850.25	\$1,463,958.67
10	\$176,563.54	\$146,183.50	\$2,118,762.50
11	\$106,548.81	\$100,470.18	\$1,278,585.70
12	\$100,384.96	\$105,029.25	\$1,204,619.50
13	\$68,387.42	\$62,390.75	\$820,649.00
14	\$84,015.75	\$86,228.00	\$1,008,189.00
15	\$102,866.10	\$111,825.25	\$1,234,393.15
16	\$110,380.41	\$127,105.23	\$1,324,564.95
17	\$97,097.55	\$116,742.53	\$1,165,170.55
18	\$117,499.32	\$125,044.75	\$1,409,991.87
19	\$84,943.70	\$89,088.25	\$1,019,324.36
20	\$69,683.07	\$64,025.50	\$836,196.89
21	\$140,238.09	\$151,516.75	\$1,682,857.12
22	\$134,757.39	\$147,447.50	\$1,617,088.73
23	\$128,531.06	\$128,865.33	\$1,542,372.71
24	\$112,070.26	\$113,479.75	\$1,344,843.09
25	\$117,517.22	\$125,525.48	\$1,410,206.63
26	\$63,800.80	\$66,716.25	\$765,609.61
27	\$99,474.15	\$103,738.25	\$1,193,689.75
28	\$195,866.23	\$198,563.40	\$2,350,394.70
29	\$96,808.17	\$98,178.50	\$1,161,698.00
30	\$103,425.40	\$106,385.58	\$1,241,104.82
31	\$74,320.86	\$75,451.30	\$891,850.26
32	\$75,997.01	\$77,287.50	\$911,964.11
33	\$74,332.04	\$75,608.50	\$891,984.50
34	\$92,446.20	\$89,242.50	\$1,109,354.40
35	\$115,041.38	\$115,326.50	\$1,380,496.50
36	\$105,635.42	\$108,458.75	\$1,267,625.00
37	\$89,811.63	\$95,433.00	\$1,077,739.53
38	\$86,642.44	\$92,669.49	\$1,039,709.23
39	\$122,794.00	\$129,877.03	\$1,473,527.98
40	\$125,828.72	\$135,864.39	\$1,509,944.58
41	\$125,326.10	\$131,328.43	\$1,503,913.22
42	\$132,972.58	\$137,987.50	\$1,595,671.00
43	\$143,297.29	\$140,772.75	\$1,719,567.50

**NOTES TO TABLE 1**

1 Trucks #3 and 4 are owned by the same franchisee and operate in the same territory for a total 2024 sales of \$2,280,968.46. These trucks operated a full year, but ownership transferred on 12/5/2024, which transition effected November and December sales.

2 Trucks #9 and 10 are owned by the same franchisee and operate in the same territory for a total 2024 sales of \$3,582,721.17.

3 Trucks #13 and 14 are owned by the same franchisee and operate in the same territory for a total 2024 sales of \$1,828,838.00.

4 Trucks #22 and 25 are owned by the same franchisee and operate in the same territory for a total 2024 sales of \$3,027,295.36.

5 Trucks #30 and 31 are owned by the same franchisee and operate in the same territory for a total 2024 sales of \$2,132,955.08.

6 Trucks #32 and 33 are owned by the same franchisee and operate in the same territory for a total 2024 sales of \$1,803,948.61.

7 Truck #41 is owned by the same franchisee and operates in both of the territories associated with Truck #39 and #40, but we chose to allocate those sales to the Truck #39 territory for a total 2024 sales of \$2,977,441.20.

**TABLE 2**

<b>U.S. Average Gross Sales</b> For the Period January 1, 2024 to December 31, 2024.		
	<b>Franchise Units</b>	<b>Affiliate-Owned Units</b>
<b>Number of Units</b>	<b>43</b>	<b>4</b>
<b>Average Annual Gross Sales</b>	<b>\$1,312,508.91</b>	<b>\$1,281,495.42</b>
<i>Median</i>	<i>\$1,241,104.82</i>	<i>\$1,236,274.65</i>
<i>(Min – Max)</i>	<i>(\$765,609.61 - \$2,350,394.70)</i>	<i>(\$1,041,817.87 - \$1,611,614.50)</i>
<b>Number of Units at or Above Average</b> <i>(% of Units)</i>	<b>19</b> <i>(44.19%)</i>	<b>2</b> <i>(50.00%)</i>

**TABLE 3**

<b>New Unit Weekly Gross Sales – Total New Units Opened in 2024</b> For the Period January 1, 2024 to December 31, 2024		
	<b>Franchise Units</b>	<b>Affiliate-Owned Units</b>
<b>Number of New 2024 Units</b>	<b>17</b>	<b>2</b>
<b>Average Weekly Gross Sales</b>	<b>\$29,845.37</b>	<b>\$43,993.47</b>
<i>Median</i>	<i>\$27,423.34</i>	<i>\$43,993.47</i>
<i>(Min – Max)</i>	<i>(\$14,804.49 - \$68,710.00)</i>	<i>(\$37,683.81 - \$50,303.13)</i>
<b>Average Weeks Open</b>	<b>28.04</b>	<b>20.14</b>
<i>Median</i>	<i>28.86</i>	<i>20.14</i>
<i>(Min to Max)</i>	<i>(7.57 - 46.57)</i>	<i>(16.57 - 23.71)</i>
<b>Number of Units at or Above Average</b>	<b>6</b> <i>(35.29%)</i>	<b>1</b> <i>(50.00%)</i>

(% of Units)		
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## NOTES COMMON TO ALL TABLES

At your reasonable request, we will provide you with written substantiation for this financial performance representation. The above results were obtained directly by us from franchisees' point of sale software. See the notes below, which are a material part of this Item.

**(1) Some outlets have sold this amount. Your individual results may differ. There is no assurance that you'll sell as much.**

(2) As used in this Item 19, "Gross Sales" means all revenue accrued from the sale of all products and performance of services in, at, upon, about, through or from the Food Truck, whether for cash or credit and regardless of collection in the case of credit, and income of every kind and nature related to the Food Truck, including insurance proceeds and/or condemnation awards for loss of sales, profits or business, as well as the full retail value of any gift certificate or coupon sold for use at the Food Truck (fees retained by or paid to third party sellers of such gift certificates or coupons are not excluded from Gross Sales). Gross Sales does not include:

- a. the amount of any tax imposed by any federal, state, municipal or other governmental authority directly on sales and collected from customers, provided that the amount of any such tax is shown separately and, in fact, paid by the franchisee to the appropriate governmental authority;
- b. cash refunds to customers and valid coupons given by your Food Truck and used by customers, provided the full price of any product or service was first included in Gross Sales; or
- c. tips from customers given to employees.

(3) As used in this Item 19, "Median Monthly Sales" means the franchise outlet's monthly Gross Sales located in the middle of that franchise outlet's monthly Gross Sales in 2024. It is determined by taking the two months where the monthly Gross Sales fall in the middle of the twelve-month range (where five months of Gross Sales are more, and five months of Gross Sales are less) adding the Gross Sales in those two months and then dividing that sum by two.

(4) As used in this Item 19, "Average Monthly Sales" means the sum of the franchise outlet's total Gross Sales in 2024 divided by twelve months.

(5) The revenue representations in this Item do not reflect the cost of sales, operating expenses, or other expenses that must be deducted from Gross Sales figures to obtain net income or profit. The figures above do not reflect any of the expenses necessary to operate a Cousins Maine Lobster® Food Truck.

(6) A total of 68 franchise owned Food Trucks operated at some time during 2024. For Tables 1 and 2 we only included Food Trucks with at least 52 weeks of consecutive sales in 2024 (unless noted otherwise). A total of 43 Food Trucks operated for the full year of 2024. 25 franchisee-owned Food Trucks and 5 affiliate-owned Food Trucks (including 1 Seasonal Cart) operated at some point in 2024 were excluded as they had fewer than 52 consecutive weeks of sales in 2024. New franchisee owned Food Trucks that opened at some point in 2024 are included in Table 3.

(7) For Table 3 we only included new Food Trucks which had at least 7 consecutive weeks of sales in 2024.

(8) There were nine (9) affiliate-owned Food Trucks (including the seasonal cart) and a total of sixty eight (68) franchisee-owned Food Trucks operating at some point during the 2024 fiscal year. A total of forty-three (43) franchisee-owned Food Trucks operated throughout the entire 2024 fiscal year. There were a total of twenty (20) new franchisee-owned Food Trucks that commenced operating during the 2024 fiscal year.

(9) Some of the Food Trucks listed above operate in larger territories than those we typically grant in our current offering.

Other than the representation given above, we do not make any representations about a franchisee's future financial performance or the past financial performance of company-owned or franchised outlets. 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. Additionally, written substantiation for the financial performance representations above will be made available to you upon reasonable request. 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 Sabin Lomac at CML Franchise LLC, 125 John Roberts Road, Unit #2, South Portland, ME 04106.

## **ITEM 20**

### **OUTLETS AND FRANCHISEE INFORMATION**

In this Item, "Outlet" means a single Food Truck. We permit franchisees to operate multiple Food Trucks under a single Franchise Agreement, and for the purposes of this Item 20 we do not distinguish between franchisees that operate multiple Food Trucks under a single Franchise Agreement or those that operate multiple Food Trucks under multiple (and separate) Franchise Agreements.

**TABLE NO. 1.**

**Systemwide Outlet<sup>1</sup> Summary for Years 2022 through 2024**

<b>Outlet Type</b>	<b>Year</b>	<b>Outlets at the Start of the Year</b>	<b>Outlets at the End of the Year</b>	<b>Net Change</b>
Franchised	2022	32	38	+6
	2023	38	48	+10
	2024	48	65	+17
Company-Owned*	2022	4	6	+2
	2023	6	6	0
	2024	6	8	+2
Total Outlets	2022	36	44	+8
	2023	44	54	+10
	2024	54	73	+19

\* "Company-Owned" refers to outlets owned by our affiliates.

<sup>1</sup> In this Item, "Outlet" means a single Food Truck.