

## 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.

This information contained in this Item 19 is based on actual historical financial results for franchised Rusty Taco Restaurants during fiscal year 2024 which is the period from January 1, 2024 through December 29, 2024. As of the end of fiscal year 2024, 36 franchised Rusty Taco Restaurants were in operation. For purposes of the disclosures made below, we excluded from the data set (i) 9 Rusty Taco Restaurants that commenced operations in 2024 (including 1 that reopened in 2024 after a prolonged closure for 3 months due to change in ownership) and, as a result, experienced new opening sales volatility and did not have a full year’s worth of data, and (ii) 3 Rusty Taco Restaurants that operated in locations that were atypical of our standard Rusty Taco Restaurant model and had limited operations and a small or no seating capacity. The remaining 24 Rusty Taco Restaurants, which offer our standard menu offering and have the required seating and other required operational standards, comprise the data set on which the information provided below is based.

The chart below reflects the Average Unit Volume during fiscal year 2024 of the 24 traditional Rusty Taco Restaurants in the data set. Below the chart, we have provided the Gross Sales of one Rusty Taco Restaurant that operates in an airport terminal (which we eliminated from the data set) because we expect to grant franchises for additional airport locations.

	Number of Restaurants	Average Unit Volume (“AUV”)	#/% Exceeding Average	Highest AUV	Lowest AUV	Median AUV
Total No. of Restaurants in the Data Set	24	\$1,067,488	12 / 50%	\$1,791,183	\$408,807	\$600,638
Top Third	8	\$1,521,669	4 / 50%	\$1,791,183	\$1,238,265	\$1,523,761
Middle Third	8	\$1,035,505	4 / 50%	\$1,220,211	\$821,136	\$1,048,567
Bottom Third	8	\$645, 291	4 / 50%	\$790,865	\$408,807	\$675,689

The Gross Sales during fiscal year 2024 of the Rusty Taco Restaurant that operates in the airport terminal were \$3,789,144.

#### Notes:

- (1) We calculated the figures in the tables above using information that franchisees provided.
- (2) “Average Unit Volume” is the average Gross Sales of Rusty Taco Restaurants in any given data set described above during fiscal year 2024.
- (3) “Gross Sales” means the total revenue attributable to and receipts from all services and products and all income of every other kind and nature related to Rusty Taco Restaurants, whether or not in compliance with Franchise Agreement including income related to catering operations and special events and the full value of meals provided to bona fide employees as a benefit of their employment (except franchisees may deduct from Gross Sales the value of any employee discounts that are given during the

week in which the meals are provided), whether for cash or credit, barter or exchange, and regardless of collection in the case of credit. Gross Sales does not include (a) sales (or similar) taxes that are collected from customers of the restaurant and paid to the appropriate taxing authority, promotions, voids, and discounts; (b) proceeds from isolated sales of trade fixtures that are not part of the products and services offered at Rusty Taco Restaurants and that do not have any material effect on the operation of Rusty Taco Restaurants; (c) tips or gratuities that restaurant customers pay directly to the restaurant employees or owner; or (d) returns to shippers or manufacturers. Revenue from the purchase or redemption of gift certificates, gift cards, loyalty or similar programs is calculated as part of Gross Sales in accordance with our Predecessor's then-current guidelines for such programs. Gross Sales also includes all insurance proceeds that the franchisees received to replace revenue they lost from the interruption of the operation of their Rusty Taco Restaurant. This is the same definition used to calculate your Royalty Fee and other Gross Sales-based fees under the current form of Franchise Agreement.

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

Written substantiation of this information is available to you upon reasonable request.

Other than the preceding financial performance representation, we do not make any financial performance representations about a franchisee's future financial performance or the past financial performance of 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. 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 its General Counsel, Michael Raoufpour, at 5412 W. Plano Pkwy., Suite 100, Plano, Texas 75093, or by phone at (972)-467-8095, as well as the Federal Trade Commission, and the appropriate state regulatory agencies.

## ITEM 20 OUTLETS AND FRANCHISEE INFORMATION

**Table No. 1  
Systemwide Outlet Summary  
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	32	33	+1
	2023	33	33	0
	2024	33	36	+3
Company-Owned	2022	4	1	-3
	2023	1	1	0
	2024	1	1	0
<b>Total Outlets</b>	<b>2022</b>	<b>36</b>	<b>34</b>	<b>-2</b>
	<b>2023</b>	<b>34</b>	<b>34</b>	<b>0</b>
	<b>2024</b>	<b>34</b>	<b>37</b>	<b>+3</b>

- The figures in Tables No. 1 to 4 of this Item 20 are as of the following fiscal year-end dates: December 29, 2024; December 31 2023; and January 1, 2023.