

<b>Provision</b>	<b>Section in the Franchise Agreement</b>	<b>Summary</b>
(u) Dispute resolution by arbitration or mediation	Section 17.10	Arbitration of most claims in Minneapolis, Minnesota before the American Arbitration Association.
(v) Choice of forum	Section 17.10	Arbitration before the American Arbitration Association in Minneapolis, Minnesota (subject to applicable state law).
(w) Choice of law	Section 17.16	Wyoming law applies (subject to applicable state law).

## **ITEM 18. PUBLIC FIGURES**

We do not use any public figure to promote the 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.

### **CHARTS OF PER FRANCHISED RESTAURANTS AVERAGE SALES AND ACTUAL SALES**

Included in the charts below are all of the 312 franchised Taco John's Restaurants with drive-thru windows that operated for all of calendar year 2024 and reported their sales to us through our approved Point of Sale System (or an alternative reporting method that we believe to be accurate and have approved) for all of calendar year 2024. The Notes that follow the charts explain the data included in the chart and you should review them carefully.

*[CHARTS APPEAR ON FOLLOWING PAGE]*

**CHART 1**

AVERAGE SALES OF FREESTANDING TRADITIONAL TACO JOHN’S RESTAURANTS WITH DRIVE-THRU WINDOWS DURING CALENDAR YEAR 2024							
Taco John’s Restaurants	Number of Restaurants in group	Average Sales	Number of Restaurants and percentage in the group that met or exceeded the average sales of the group		High performer	Median performer	Low performer
Top Quartile	65	\$1,881,809	27	41.5%	\$3,087,487	\$1,788,802	\$1,470,885
Second Quartile	65	\$1,312,352	33	50.8%	\$1,466,536	\$1,321,375	\$1,185,932
Third Quartile	65	\$1,068,530	33	50.8%	\$1,181,008	\$1,086,169	\$961,098
Lower Quartile	64	\$771,452	36	56.3%	\$959,682	\$802,923	\$244,397
Combined	259	\$1,260,416	104	40.2%	\$3,087,487	\$1,185,932	\$244,397

**CHART 2**

AVERAGE SALES OF ENDCAP TRADITIONAL TACO JOHN'S RESTAURANTS WITH DRIVE-THRU WINDOWS DURING CALENDAR YEAR 2024							
Taco John's Restaurants	Number of Restaurants in group	Average Sales	Number of Restaurants and percentage in the group that met or exceeded the average sales of the group		High performer	Median performer	Low performer
Top Quartile	7	\$1,472,820	3	42.9%	\$1,667,333	\$1,459,707	\$1,268,805
Second Quartile	7	\$1,156,611	4	57.1%	\$1,264,434	\$1,157,483	\$1,055,930
Third Quartile	7	\$878,173	2	28.6%	\$1,022,734	\$864,118	\$804,158
Lower Quartile	7	\$714,016	5	71.4%	\$766,879	\$741,989	\$550,108
Combined	28	\$1,055,405	14	50.0%	\$1,667,333	\$1,039,332	\$550,108

**CHART 3**

AVERAGE SALES OF TACO JOHN’S RESTAURANTS IN CONVENIENCE STORES OR TRAVEL PLAZAS WITH DRIVE-THRU WINDOWS DURING CALENDAR YEAR 2024							
Taco John’s Restaurants	Number of Restaurants in group	Average Sales	Number of Restaurants and percentage in the group that met or exceeded the average sales of the group		High performer	Median performer	Low performer
Top Quartile	6	\$1,506,199	2	33.3%	\$2,014,275	\$1,444,984	\$1,236,834
Second Quartile	6	\$1,003,213	2	33.3%	\$1,196,902	\$959,926	\$890,040
Third Quartile	6	\$833,587	3	50.0%	\$883,168	\$826,153	\$792,939
Lower Quartile	7	\$643,610	4	57.1%	\$746,850	\$712,852	\$500,301
Combined	25	\$982,531	8	32.0%	\$2,014,275	\$883,168	\$500,301

**NOTES TO CHARTS**

- Chart 1 is a statement of the average “Sales” of the 259 Taco John’s traditional freestanding Restaurants with drive-thru windows and that reported Sales to us through our approved Point of Sale System or an alternative reporting method that we believe to be accurate and have approved (an “Approved Alternative System”) for all of calendar year 2024. Chart 2 is a statement of the average “Sales” of 28 Taco John’s traditional Restaurants located in the endcap space in strip malls with drive-thru windows that reported Sales to us through our POS System or an Approved Alternative System for all of calendar year 2024. Chart 3 is a statement of the average “Sales” of 25 Taco John’s Restaurants located in Convenience Stores or Travel Plazas with Drive-thru windows that reported Sales to us through our POS System or an Approved Alternative System for all of calendar year 2024. These charts collectively report the average “Sales” of 312 franchised Taco John’s Restaurants. The term “Average Sales” as used in these charts means the average of the total Sales of each grouping for 2024 as reported to us through our POS System or an Approved Alternative System. The charts also show the Sales of the highest performer, lowest performer and the median sales. The term “median” means the data point that is the center of all data points used, or in the context of these charts, the results of the franchisee falling in the middle of each grouping. For any groupings with an even number of data points, the two middle numbers are added and then divided by two.
- We had a total of 333 franchised Taco John’s Restaurants in our system as of December 31, 2024. Of those, one Restaurant does not report its Sales through our approved Point of Sale System (or an Approved Alternative System) and 10 Restaurants do not have drive-thru windows as part of their Restaurants. Because the restaurant models we are offering under this Disclosure Document require the use of our approved Point of Sale System and are expected to have a drive-thru window, we did not include those Restaurants in these charts. Further, six of our franchised Taco John’s Restaurants operating as of December 31, 2024 opened during the course of the year and did not operate a full year. Four additional locations are considered prototypes of the DT Digital Olé or earlier concepts and are not included in these charts. Additionally, 30 Taco John’s Restaurants closed during the year 2024,

and are not included in these charts. Three of the outlets that closed permanently in calendar year 2024 had been open for less than 12 months. We also had a total of seven company-owned Taco John's Restaurants that operated for the full 2024 calendar year that are not included in these charts.

3. We only included in these charts the Sales figures of those Restaurants that report their Sales through our approved Point of Sale System or an Approved Alternative System because we believe the Sales figures we receive from those Restaurants are more reliable. Further, the franchised Taco John's Restaurants offered pursuant to this Disclosure Document are required to use only our approved Point of Sale System to report their Sales to us, although in certain very limited situations we have authorized use of an Approved Alternative System. The franchised Taco John's Restaurants offered pursuant to this Disclosure Document will most likely have a drive-thru window as part of the Restaurant and will be required to use our approved Point of Sale System to report their Sales to us.
4. "Sales" means the total receipts of the Restaurant, but does not include sales tax or equivalent taxes.
5. The Taco John's Restaurants included in these charts sell substantially the same products and services as the franchised Taco John's Restaurants offered pursuant to this Disclosure Document.
6. As of the start of calendar year 2024, the Taco John's Restaurants included in these charts had been in operation for periods ranging from one year to 56 years.
7. There is a large variation in the range of Sales generated by our Franchisees during calendar year 2024. During calendar year 2024, Sales by the Taco John's Restaurants reported in these charts varied from a high of \$3,087,487 to a low of \$244,397.
8. The sales information for the Restaurants included in these charts is information as reported by the Franchisees and has not been audited or otherwise verified by us. These charts only show Sales of Taco John's Restaurants and are not a statement of profits or earnings. We show no expenses in these charts. We cannot accurately determine expenses of our franchised Restaurants because franchisees do not report expenses to us.
9. These charts are historic financial performance representations based on data from 2024. They are not a forecast or projection of the franchisee's potential future financial performance.
10. The primary characteristic of your Restaurant that could differ from the outlets shown in these charts is the model of Restaurant. Each chart shows the results of different models of Restaurant. Since your Restaurant will open under one of these models, your Restaurant will vary from those of the other models represented here. Otherwise, except for the fact the represented outlets in this Item 19 have operated for a longer period of time, there are no financial or operational characteristics of our represented outlets that are reasonably anticipated to differ materially from those of a new franchisee.

**Caution: Some outlets have sold this amount. Your individual results may differ. There is no assurance that you will sell as much.**

If you rely upon our figures, you must accept the risk of not doing as well. Your actual financial results are likely to differ from the figures presented. If possible, show these figures to someone who can advise you, like a lawyer or accountant.

### **ADDITIONAL NOTES APPLICABLE TO ALL CHARTS:**

In presenting this data, we do not estimate the length of time it will take for any particular franchisee to achieve any revenues levels, sales levels, or other results.

Your ability to achieve any certain level of sales or profits will depend upon factors not within our control, including the occurrence of certain start up and operating expenses and the amount of those expenses, and your level of expertise. It will also depend on your ability to promote your Tacos John's Restaurant to customers, which is a major factor in determining your profitability and is dependent upon your marketing ability and efforts, competition within your market, economic conditions, the amount of time you devote to your business, your management and leadership skills, the time and money spent promoting your business, your profit motivation and other market factors. Expenses will vary from franchisee to franchisee.

Written substantiation of this financial performance representation will be made available to you upon reasonable request.

Other than the preceding financial performance representation, we do 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 Taco John's Restaurant, however, we may provide you with the actual records of that Restaurant. 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 Kristin M. Nuss at 808 West 20th Street, Suite 200, Cheyenne, Wyoming 82001, and (307) 635-0101, 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**

<b>Column 1 Outlet Type</b>	<b>Column 2 Year</b>	<b>Column 3 Outlets at the Start of the Year</b>	<b>Column 4 Outlets at the End of the Year</b>	<b>Column 5 Net Change</b>
Franchised	2022	367	361	-6
	2023	361	357	-4
	2024	357	333	-24
Company-Owned	2022	6	7	+1
	2023	7	7	0
	2024	7	7	0
<b>TOTAL TACO JOHN'S RESTAURANT OUTLETS</b>	<b>2022</b>	<b>373</b>	<b>368</b>	<b>-5</b>
	<b>2023</b>	<b>368</b>	<b>364</b>	<b>-4</b>
	<b>2024</b>	<b>364</b>	<b>340</b>	<b>-24</b>