

FRANCHISE DISCLOSURE DOCUMENT



MARKED

E&I Holdings, Inc.
(a Colorado corporation)
9220 ~~Teddy Lane~~ 8000 S. Chester Street, Suite 1300
Lone Tree 575 SAN FRANCISCO
Centennial, Colorado 80124 80112
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E&I Holdings, Inc. is offering franchises for the operation of restaurants serving breakfast and lunch.

The total ~~estimated~~ investment necessary to begin operation of a THE EGG AND I Restaurant or THE EGG I AM Restaurant franchise ranges from \$~~553,000~~ 504,000 to \$~~767,000~~ 793,000. These amounts include between \$45,000 and \$60,000 that must be paid to the franchisor.

We also offer qualified persons the right to develop multiple THE EGG AND I Restaurants or THE EGG I AM Restaurants within a specific geographic area under a Development Agreement. If you execute a Development Agreement you pay \$20,000 towards each additional THE EGG AND I Restaurant or THE EGG I AM Restaurant to be developed in addition to payment of the initial franchise fee for the first franchise. The total initial franchise fee for subsequent Restaurants developed under a Development Agreement is discounted to \$40,000 for the second Restaurant, \$35,000 for the third Restaurant, \$30,000 for the fourth Restaurant and \$25,000 for the fifth and each subsequent Restaurant to be developed under a single Development Agreement. See Item 5.

This disclosure document summarizes certain provisions of your franchise agreement and other information in plain English. Read this disclosure document and all accompanying agreements carefully. You must receive this disclosure document at least 14 calendar-days before you sign a binding agreement with, or make any payment to, the franchisor or an affiliate in connection with the proposed franchise sale. Note, however, that no governmental agency has verified the information contained in this document.

You may wish to receive your disclosure document in another format that is more convenient for you. To discuss the availability of disclosures in different formats, contact William H. Baumhauer at ~~9220 Teddy Lane~~ 8000 S. Chester Street, Suite 1300, Lone Tree 575, Centennial, Colorado 80124, 80112. (303-768-8883).

The terms of your contract will govern your franchise relationship. Don't rely on the disclosure document alone to understand your contract. Read all of your contract carefully. Show your contract and this disclosure document to an advisor, like a lawyer or an accountant.

Buying a franchise is a complex investment. The information in this disclosure document can help you make up your mind. More information on franchising, such as "Buying a Franchise: A Consumer Guide," which can help you understand how to use this disclosure document, is available from the Federal Trade Commission. You can contact the FTC at 1-877-FTC-HELP or by writing to the FTC at 600 Pennsylvania Avenue, NW, Washington, D.C. 20580. You can also visit the FTC's home page at www.ftc.gov for additional information. Call your state agency or visit your public library for other sources of information on franchising.

There may also be laws on franchising in your state. Ask your state agencies about them.

THE DATE OF ISSUANCE OF THIS DISCLOSURE DOCUMENT IN THE NON-REGISTRATION STATES IS:

September 21, 2011-14, 2012

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## STATE COVER PAGE

Your state may have a franchise law that requires a franchisor to register or file with a state franchise administrator before offering or selling in your state. **REGISTRATION OF A FRANCHISE BY A STATE DOES NOT MEAN THAT THE STATE RECOMMENDS THE FRANCHISE OR HAS VERIFIED THE INFORMATION IN THIS DISCLOSURE DOCUMENT.**

Call the state franchise administrator listed in Exhibit A for information about the franchisor, about other franchisors, or about franchising in your state.

**MANY FRANCHISE AGREEMENTS DO NOT ALLOW YOU TO RENEW UNCONDITIONALLY AFTER THE INITIAL TERM EXPIRES. YOU MAY HAVE TO SIGN A NEW AGREEMENT WITH DIFFERENT TERMS AND CONDITIONS IN ORDER TO CONTINUE TO OPERATE YOUR BUSINESS. BEFORE YOU BUY, CONSIDER WHAT RIGHTS YOU HAVE TO RENEW YOUR FRANCHISE, IF ANY, AND WHAT TERMS YOU MIGHT HAVE TO ACCEPT IN ORDER TO RENEW.**

Please consider the following RISK FACTORS before you buy this franchise::

- 1. THE FRANCHISE AGREEMENT REQUIRES YOU TO RESOLVE DISPUTES WITH US BY LITIGATION ONLY IN COLORADO. OUT OF STATE LITIGATION MAY FORCE YOU TO ACCEPT A LESS FAVORABLE SETTLEMENT FOR DISPUTES. IT MAY ALSO COST YOU MORE TO LITIGATE WITH US IN COLORADO THAN IN YOUR OWN STATE.**
- 2. THE FRANCHISE AGREEMENT STATES THAT COLORADO LAW GOVERNS THE AGREEMENT, AND THIS LAW MAY NOT PROVIDE THE SAME PROTECTIONS AND BENEFITS AS LOCAL LAW. YOU MAY WANT TO COMPARE THESE LAWS.**
- 3. THERE ARE OTHER RISKS CONCERNING THIS FRANCHISE, INCLUDING BUT NOT LIMITED TO BUSINESS AND LEGAL RISKS. IMMEDIATE FAMILY MEMBERS MAY BE BOUND TO THE CONDITIONS OF A NONDISCLOSURE AND NONCOMPETITION AGREEMENT WHICH MAY PLACE THEIR PERSONAL ASSETS AT RISK.**
- 4. THERE MAY BE OTHER RISKS CONCERNING THIS FRANCHISE.**

**We use the services of one or more FRANCHISE BROKERS or referral sources to assist us in selling our franchise. A franchise broker or referral source is our agent and represents us, and not you. We pay this person a fee for selling our franchise or referring you to us. You should make sure to do your own investigation of the franchise.**

The effective dates of this Disclosure Document in the states with registration laws are on the following page:

## FRANCHISE DISCLOSURE DOCUMENT – STATE EFFECTIVE DATES

The following states require that the Franchise Disclosure Document be registered or filed with the state, or be exempt from registration, under the state franchise laws: California, Hawaii, Illinois, Indiana, Maryland, Michigan, Minnesota, New York, North Dakota, Rhode Island, South Dakota, Virginia, Washington and Wisconsin.

This Franchise Disclosure Document is registered, on file or exempt from registration in the following states having franchise registration and disclosure laws, with the following effective dates:

California: October 4, 2011 Pending

New York: October 3, 2011 Pending

Hawaii: Not Registered

North Dakota: Not Registered

Illinois: September 27, 2011 Pending

Rhode Island: Not Registered

Indiana: April 17, 2012 Pending

South Dakota: Not Registered

Maryland: Not Registered Pending

Virginia: Not Registered Pending

Michigan: Not Registered

Washington: October 6, 2011 Pending

Minnesota: Not Registered Pending

Wisconsin: September 23, 2011 Pending

In all the other states, the effective date of this Franchise Disclosure Document is the issuance date of September 21, 2011-14, 2012.

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