

FRANCHISE DISCLOSURE DOCUMENT**RECEIVED
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SAN FRANCISCO**

JAKE'S FRANCHISING LLC
a Delaware Limited Liability Company
1157 Highland Avenue, Suite 108
Cheshire, CT 06410
203-439-7991
jeucalitto@jakeshamburgers.com
www.waybackburgers.com

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You will operate a Jake's Wayback Burgers restaurant. Jake's Wayback Burgers restaurants are restaurants specializing in hamburgers, old-fashioned, hand-dipped milkshakes in several select flavors, distinctive chicken sandwiches, hot dogs, cheese dogs, salads and merchandise, and an approved, limited menu of side orders and drinks.

The total investment necessary to begin operation of a Jake's Wayback Burgers restaurant franchise is approximately from \$172,000 to \$381,500 for a single unit. This includes \$35,000 that must be paid to us or our affiliates. The total investment to begin operation of a Jake's Wayback Burgers area development franchise to develop three franchised units is from \$486,000 to \$1,114,500. This includes \$75,000 that must be paid to us or our affiliates.

This disclosure document summarizes certain provisions of your franchise agreement and other information in plain English. Read 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 John Eucalitto at Jake's Franchising LLC, 1157 Highland Avenue, Suite 108, Cheshire, CT 06410 or by phone at 203-439-7991 or email at jeucalitto@jakeshamburgers.com.

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 "A Consumer's Guide to Buying a Franchise," which can help you to 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. 20590. 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.

Issuance Date for states not requiring franchise registration or filing: April 30, 2012

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 E for information about the franchisor, 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 AND DEVELOPMENT AGREEMENT REQUIRE YOU TO RESOLVE DISPUTES WITH US BY ARBITRATION ONLY IN THE COUNTY OF OUR PRINCIPAL PLACE OF BUSINESS, CURRENTLY NEW HAVEN COUNTY, CONNECTICUT. OUT-OF-STATE ARBITRATION MAY FORCE YOU TO ACCEPT A LESS FAVORABLE SETTLEMENT FOR DISPUTES. IT MAY ALSO COST YOU MORE TO ARBITRATE WITH US IN CONNECTICUT THAN IN YOUR OWN STATE.
2. THE FRANCHISE AGREEMENT AND DEVELOPMENT AGREEMENT STATE THAT CONNECTICUT 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. OUR DECEMBER 31, 2011 AUDITED FINANCIAL STATEMENTS SHOW THAT WE HAD A WORKING CAPITAL DEFICIENCY OF \$771,146, AN ACCUMULATED LOSS FROM OPERATIONS OF \$650,903, AND A DEFICIT MEMBER'S EQUITY OF \$628,903, WHICH INDICATE WE MAY NOT BE ABLE TO MEET OUR OBLIGATIONS.
4. UNDER THE FRANCHISE AGREEMENT, YOU MUST PAY US ROYALTY FEES OF 5% OF GROSS SALES WITH A MINIMUM OF \$400 PER WEEK EVEN IF YOU HAVE NO REVENUE.
5. WE AND OUR AFFILIATES MAY ESTABLISH OTHER FRANCHISED AND COMPANY OWNED LOCATIONS AT ANY LOCATION AND MAY ESTABLISH OTHER CHANNELS OF DISTRIBUTION, AND MAY SELL OR DISTRIBUTE ANY PRODUCT OR SERVICE, UNDER THE SAME AND/OR DIFFERENT TRADEMARK, IN COMPETITION WITH THE FRANCHISE.
6. YOU MUST GRANT US A SECURITY INTEREST IN ALL PRESENT AND FUTURE ACCOUNTS, INVENTORY, EQUIPMENT, INTANGIBLES, PROCEEDS, CONTRACT RIGHTS, AND INTEREST IN THE FRANCHISE. THIS SECURITY INTEREST MAY IMPAIR YOUR ABILITY TO OBTAIN FINANCING FOR YOUR OPERATIONS.
7. WE MAY SET RESALE PRICES AND DETERMINE PRICING STRATEGY TO THE EXTENT PERMITTED BY LAW.
8. THERE MAY BE OTHER RISKS CONCERNING THIS FRANCHISE.

Certain state laws may supersede these provisions. See State Addenda in Exhibit F for a summary of some of these laws.

We may 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 represents us, not you. We pay this person for selling our franchise or referring you to us. You should be sure to do your own investigation of the franchise.

See the next page for effective dates for state-specific registrations.

This is a document preview downloaded from FranchisePanda.com. The full document is available for free by visiting: <https://franchisepanda.com/franchises/jakes>