

# FRANCHISE DISCLOSURE DOCUMENT

## PEAK FRANCHISING, INC.

a California corporation  
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www.maxmuscle.com



Peak Franchising, Inc., a California corporation, is offering franchises for regional director rights, which entitle the regional director (“**Regional Director**”) to market and provide site selection and support services to franchisees operating Max Muscle Stores in the RD Development Area (“**RD Franchise**”).

The total investment necessary to begin operation of a Max Muscle Regional Director franchise is \$60,500 to \$645,500, including initial fees of \$50,500 to \$507,000 that must be paid to us or one of our Affiliates.

The disclosure document summarizes certain provisions of your franchise agreement and other information in plain English. Read this disclosure document and all agreements carefully. You must receive this disclosure document at least 14 days before you sign a binding agreement or make any payment in connection with the franchise sale or grant. **Note, however, that no governmental agency has verified the information contained in this documents.**

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 the Contracts Administrator at 210 W. Taft Ave., Orange, California 82865 and (714) 456-0700.

The terms of your contract will govern your franchise relationship. Do not 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. Information comparing franchisors is available. Call your state agency or your public library for sources of information. More information on franchising, such as “*A Consumer’s Guide to Buying a Franchise*,” is available from the FTC. You can contact the FTC at 1-877-FTCHELP or by writing to the FTC at 600 Pennsylvania Avenue, NW, Washington, DC 20580. You can also visit the FTC’s home page at [www.ftc.gov](http://www.ftc.gov) for additional information. In addition, there may be laws on franchising in your state. Ask your state agencies about them.

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**Issuance Date: December 15, 2010**

## 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 C** 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:

THE FRANCHISE AGREEMENT REQUIRES YOU TO RESOLVE DISPUTES WITH US BY LITIGATION/ARBITRATION/MEDIATION ONLY IN CALIFORNIA. OUT-OF-STATE LITIGATION/ARBITRATION/MEDIATION MAY FORCE YOU TO ACCEPT A LESS FAVORABLE SETTLEMENT FOR DISPUTES. IT MAY ALSO COST YOU MORE TO LITIGATE/ARBITRATE/MEDIATE WITH US IN CALIFORNIA THAN IN YOUR OWN STATE.

THE FRANCHISE AGREEMENT STATES THAT CALIFORNIA LAW GOVERNS THE AGREEMENT, AND THIS LAW MAY NOT PROVIDE THE SAME PROTECTION AND BENEFITS AS LOCAL LAW. YOU MAY WANT TO COMPARE THESE LAWS.

TO RETAIN YOUR RD DEVELOPMENT AREA, YOU MUST SATISFY A DEVELOPMENT QUOTA IN EACH CALENDAR YEAR.

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 represents us, not you. We pay this person a fee 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 state effective dates.

## FRANCHISE DISCLOSURE DOCUMENT EFFECTIVE DATES IN DESIGNATED STATES

The following states require that the Disclosure Document be registered or filed with the state or be exempt from registration: 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, exempt from registration, or otherwise effective in the following states with franchise registration and disclosure (or business opportunity\*) laws as of the dates listed:

California -	Effective date:	December 29, 2009
Florida*-	Effective date:	October 15, 2010
Hawaii-	Effective date:	January 4, 2010
Illinois -	Effective date:	December 24, 2009
Indiana -	Effective date:	January 20, 2010
Kentucky*	Effective Date:	October 22, 2004*
Maryland -	Effective date:	November 15, 2010 as amended _____
Michigan -	Effective date:	December 28, 2009
Minnesota -	Effective date:	December 29, 2009
Nebraska*	Effective date:	September 23, 2004*
New York -	Effective date:	January 4, 2010
North Dakota -	Effective date:	January 13, 2010
Rhode Island-	Effective date:	December 24, 2009
South Dakota -	Effective date:	December 28, 2009
Texas*	Effective date:	September 28, 2004*
Utah-	Effective date:	December 15, 2010
Virginia -	Effective date:	Pending
Washington -	Effective date:	December 31, 2009
Wisconsin -	Effective date:	December 18, 2009

\* Denotes one-time filing

**Issuance Date (for non-registration states): December 15, 2010**

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