

FIVE GUYS®

CONSENT AND AGREEMENT OF FRANCHISOR

This CONSENT AND AGREEMENT OF FRANCHISOR (this "**Consent**"), dated _____, 20____, is entered into by FIVE GUYS ENTERPRISES, LLC, a Delaware limited liability company and franchisor ("**Franchisor**"), and _____ ("**Lender**") in connection with that certain Franchise Agreement dated _____, 20____ (as amended or otherwise modified, the "**Franchise Agreement**"), by and between Franchisor and _____, a _____ [limited liability company] ("**Franchisee**"), and governing the operations of that certain FIVE GUYS® restaurant located at _____ (the "**Restaurant**").

The parties hereto hereby consent to and agree as follows:

(a) Franchisor acknowledges that a Security Agreement dated on or about _____, 20____ (the "**Security Agreement**"), by and between Franchisee and Lender, has been given to Lender as security for Lender's loan to Franchisee in the principal amount of up to _____ and no/100 Dollars (\$_____) ("**Loan**"), and that such Security Agreement encumbers certain of Franchisee's assets, including the equipment and fixtures owned or hereafter acquired by Franchisee to be used at the Restaurant (collectively, the "**Collateral**"). For purposes of clarification, the term "Collateral" as used herein, in the Security Agreement, and in each of the Loan Documents (as such term is defined below) shall not include any assignment of the Franchise Agreement (or any other agreement executed by Franchisor and Franchisee in connection with the Franchise Agreement);

(b) Subject to the terms of this Consent, Franchisor hereby consents to the Security Agreement and all other documents executed or delivered in connection with the Loan (collectively, "**Loan Documents**") and agrees to recognize Lender's rights to foreclose or otherwise enforce its security interest in any or all of the Collateral under such Loan Documents. In the event that the Loan Documents include any pledge agreement or similar instrument(s) that effectively pledge the equity of the Franchisee and/or its affiliates to the Lender (in any instance, a "**Pledge Agreement**"), then the parties hereto expressly acknowledge that any such Pledge Agreement does not currently, nor shall it ever in the future, provide for any direct or indirect right of the Lender to develop, operate, sell, assign, license, and/or sublicense the operation(s) of the Restaurant or any other FIVE GUYS® restaurants;

(c) Lender agrees that, in the event of a monetary default by Franchisee under the terms of the Loan Documents, Franchisor has the right, but not the obligation, to cure any such default by Franchisee within the cure period stated in any written notice delivered to Franchisor from Lender;

(d) Franchisor agrees that, in the event of a monetary default by Franchisee under the terms of the Franchise Agreement, Lender has the right, but not the obligation, to cure any such default by Franchisee within the cure period stated in any written notice delivered to Lender from Franchisor;

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CK Quarterman

A red circular graphic with a gradient, appearing as a partial circle or a stylized arrow pointing to the right, located to the right of the CK Quarterman text.

Franchise Documents Templates:

Drafting of Contracts – Templates with Drafting Notes Ravi Singhania, 2021-03-15 This book is an essential handy guide for any draftsman and in house counsels as it not only contains the practical and usable templates that can serve as a prototype for the various contracts but also provides a sense about the purpose and critical points of the contract For each of the chapters along with the templates there is an introduction and drafting notes allowing a reader to grasp the essence and importance of the clauses It comprises of chapters on Partnership Procurement of goods services and assets Mergers Acquisitions and Joint Ventures Real Estate Employment Confidentiality Franchise Trademark Patent Copyright publishing broadcast reproduction and performer s rights Agency Hire Purchase Turnkey EPC and Project Finance One chapter is exclusively devoted to one of the most important clauses in any contract ie the Dispute Resolution clause and it covers the intricacies of this clause with respect to different contracts This book will prove useful for professionals students in understanding the practical details of varied contracts act as a beginning point for practitioners and be useful for all considering the vast number of contracts dealt with Key Features A must to have for in house legal teams consultants legal practitioners and fresh lawyers Templates of important and day to day contracts acting as a beginning point for practitioners Practical and business oriented templates for day to day contracts with introduction and drafting notes Special focus on Dispute Resolution clauses in most of the agreements Useful for professionals students to understand the practical details of varied contracts

Franchise Secrets CK Quarterman, 2011-01-01

Replication Harold B. Miller, 2022-03-22 You think you have a beautiful business that you feel is replicate able across the state you live in across the country or across the world Is the way you created your business model really scale able Can you replicate yourself and create a franchise that is teach able and that offers a clear picture of your concept to the market Entrepreneurs across the world create amazing new models and platforms every day but not all of them are scale able as a franchise model Franchising is one of the fastest and most viable distribution platforms in the world and an incredible experience for new franchisors who are able to give of themselves to package train and provide ongoing coaching and support for their creation allowing amazing operators in the form of franchisees to benefit from their franchise offering But is your model really the one they should be investing in And are you as good at building a franchise team as you are running your beautiful business at the unit level Franchise consultant and Franchise Science CEO Harold Miller places your mind into the preparation and execution in a point to point franchise development to focus on the people the methods and the phases of franchising your business model and the key questions to ask yourself along with way by actually taking you through a full development with your own model in mind There are a number of great franchise books which talk a lot about past successes of various models and offer a useful history of franchising Replication The Art and Science of Franchising Your Business focuses on how to think about the option of franchising today and how various fundamentals will shift during the current labor and management marketplace Knowing

how to prepare and what questions to ask yourself phase by phase can solve a lot of problems and save a lot of wasted capital by making better decisions on both the if and the how of franchising your business model **Franchise** Philip F Zeidman, 2017-09-05 Franchise edited by Philip F Zeidman of DLA Piper provides international analysis for corporate counsel and cross border legal practitioners in key areas of franchise such as governing bodies laws and agencies exemptions and exclusions from franchise laws ground rules for franchise termination restrictions on foreign entities and investments confidentiality covenants in agreements restrictions on franchise agreements and good faith obligations and franchise relationships In an easy to use question and answer format trusted and reliable information on key topics of law and regulation in this area is provided by leading practitioners covering 25 jurisdiction including China Mexico Malaysia South Africa and Thailand The comprehensive range of guides produced by GTDT provides practitioners with an extremely useful resource when seeking an overview of key areas of law and policy in practice areas or jurisdictions which they may otherwise be unfamiliar with Gareth Webster Centrica Energy E P *How and Why to Franchise Your Business* Michael A. Peterson, 2016-12-26 This book was written with the would be franchisor in mind It delves deeply into such topics as preparing to become a franchisor the legal repercussions of franchising how to recruit the right candidates and how to manage a franchise system This book will guide you in building a successful team of experts to help you create the stellar franchise brand that you dream of **The Department for Transport** Great Britain. National Audit Office, 2008 This NAO report HC 1047 session 2007 09 examines rail franchises and the impact they have had on franchises competition the taxpayer the passenger and the approach to managing rail franchises in general Passenger rail services are provided by train operating companies under franchise agreements which generally run 7 10 years Whilst responsibility for the operation and condition of the track rests with Network Rail the Department of Transport has ultimate responsibility where it affects passengers and has taken oversight responsibility for passenger rail franchising following the abolition of the Strategic Rail Authority in 2005 The National Audit Office has set out the following recommendations in respect of rail franchises including on letting franchises regional decision making bodies should have greater involvement where bids for rail franchises occur alternative options should be taken into consideration such as value for money and affordability that there should be transparency on financial support for franchises with information on how fares cover the overall costs of passenger rail services and the extent of Government support that there should also be greater transparency on service quality standards the Government when negotiating extra passenger capacity needs to adjust the contract revenue target where appropriate so that it can better engage in commercial negotiations also the Department should staff the National Networks Group adequately and not rely unduly on agency staff given the strategic importance of rail franchising and the potential to reduce direct subsidies **Franchise Development Guide** James Fulton, The Franchise Development Guide serves as a comprehensive resource for entrepreneurs and business leaders looking to expand their brands through franchising It covers

essential topics such as selecting the right franchise model creating a robust franchise system and navigating legal requirements The guide also provides insights into marketing strategies training programs and ongoing support needed to foster successful franchise relationships With practical tips and real world examples this book is designed to equip readers with the knowledge and tools necessary to thrive in the competitive world of franchising ultimately helping them to build a sustainable and profitable franchise network *Business Franchise Guide* Commerce Clearing House,1980 *Insurance Disputes* Robert Merkin,Iain Goldrein QC,Jonathan Mance,2020-11-26 Written by an impressive team of specialist contributors Insurance Dispute is the authoritative guide to litigation for both the insurer and the insured Divided into two parts principles of law and their practical use in individual types of insurance it aims to identify and resolve questions such as How should the claimant handle a dispute Is the claim within the cover When should an insurer dispute cover What steps can an insurer take to deny cover Updated and revised to include new chapters on marine insurance the Financial Ombudsman Service and ATE insurance Insurance Disputes is essential reading for anyone involved in insurance law and litigation

International Commercial Agency and Distribution Agreements Cristelle Albaric,Marianne Dickstein,2017-03-06 In this enriched new edition of a proven indispensable practical guide to the drafting and negotiating of agency distribution and franchising agreements the contributors have all updated their country reports with recent cases and commentary and an abundance of new sample clauses and other practical features In addition four major jurisdictions Brazil England Japan and the United States have been added bringing the total number of country reports to nineteen The first edition is well known among commercial law practitioners as the preeminent hands on guide to drafting effective distribution agreements tailored specifically to countries in which foreign direct investment is a major component of the economy Local experts provide detailed information on specific applicable law major current case law drafting guidance with specific clauses and official English versions of relevant primary material Case law summaries clearly expose the issues from which disputes arise and the financial consequences of those disputes and the practical discussion includes sample clauses designed to anticipate those issues and avoid the pitfalls to which they often lead The enormous day to day usefulness of this book will be self evident to corporate counsel and other lawyers negotiating international commercial distribution agreements Legal scholars as well will welcome the book s comparative study of applicable law on commercial contracts in a wide variety of national jurisdictions

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web jul 3 2015 we have the compressor running off an on board generator the passenger s side tank is running low but the driver s side is still full the gauge on the dash is showing the level for the passenger s side tank i can t find a switch in the cab to make it draw fuel from the other tank

