





Safe Harbor Concerning Forward Looking Statements

Matters discussed in this presentation that relate to events or developments which are expected to occur in the future, including any discussion, expressed or implied, of anticipated growth, new store openings, operating results or earnings constitute forward-looking statements. Forward-looking statements are based on management's beliefs, assumptions and expectations of our future economic performance, taking into account the information currently available to management. These statements are not statements of historical fact. Forward-looking statements involve risks and uncertainties that may cause our actual results, performance or financial condition to differ materially from the expectations of future results, performance or financial condition we express or imply in any forward-looking statements. Factors that could contribute to these differences include, but are not limited to:

- the cost of our principal food products and supply and delivery shortages and interruptions;
- labor shortages or increased labor costs;
- changes in demographic trends and consumer tastes and preferences, including changes resulting from concerns over nutritional or safety aspects of beef, poultry, or other foods or the effects of food-borne illnesses;
- expansion into new markets including foreign markets
- our ability to locate suitable restaurant sites in new and existing markets and negotiate acceptable lease terms
- competition in our markets, both in our business and in locating suitable restaurant sites;
- our operation and execution in new and existing markets;
- our ability to recruit, train and retain qualified corporate and restaurant personnel and management;
- cost effective and timely planning, design and build out of restaurants
- our ability to attract and retain qualified franchisees
- our ability to generate positive cash flow from existing and new restaurants;
- the rate of our internal growth and our ability to generate increased revenue from our existing restaurants
- the reliability of our customer and market studies
- fluctuations in our quarterly results due to seasonality;
- increased government regulation and our ability to secure required government approvals and permits
- our ability to create customer awareness of our restaurants in new markets;
- market saturation due to new restaurant openings;
- inadequate protection of our intellectual property;
- adverse weather conditions which impact customer traffic at our restaurants; and
- adverse economic conditions.

The words "believe," "may," "will," "should," "anticipate," "estimate," "expect," "intend," "objective," "seek," "plan," "strive" or similar words, or the negatives of these words, identify forward-looking statements. We qualify any forward-looking statements entirely by these cautionary factors.



Fiscal 2009 Teleconference Agenda

- Introductory Comments
- Financial Results
 - Slide 4 – Restaurant Margin Performance Q4
 - Slide 5 – Reconciliation of Non-GAAP Measures To Net Income Q4
 - Slide 6 – Restaurant Margin Performance YTD
 - Slide 7 – Reconciliation of Non-GAAP Measures To Net Income YTD
- Questions and Answers



Restaurant Margin Performance – Q4

	U.S. Dollars in Thousands ⁽¹⁾					
	13 Weeks Ended December 28, 2009		13 Weeks Ended December 29, 2008		Margin Change ⁽¹⁾	
Restaurant Net Sales	\$ 27,707	100.0%	\$ 29,860	100.0%	---	
Comp Sales % ⁽²⁾	-6.6%		-6.2%			
Cost of Food and Beverage	6,418	23.2%	6,827	22.9%	30 Basis Points Increase	
Gross Profit	21,289	76.8%	23,033	77.1%	30 Basis Points Decrease	
Labor and Related Benefits	10,433	37.6%	10,818	36.2%	140 Basis Points Increase	
Other Operating Expenses	3,424	12.3%	3,835	12.8%	50 Basis Points Decrease	
Controllable Contribution	7,432	26.9%	8,380	28.1%	120 Basis Points Decrease	
Occupancy Costs	5,586	20.2%	5,817	19.5%	70 Basis Points Increase	
Restaurant Cash Flow	\$ 1,846	6.7%	\$ 2,563	8.6%	190 Basis Points Decrease	

⁽¹⁾ Due to Rounding, some percentages might not foot.

⁽²⁾ As reported in public filings.



LIFE SHOULD BE DELICIOUS™

Reconciliation of Non-GAAP Measures To Net Income

	<u>13 Weeks Ended December 28, 2009</u>	<u>13 Weeks Ended December 29, 2008</u>
Restaurant Net Sales	\$ 27,707	\$ 29,860
Cost of Food and Beverage	6,418	6,827
Labor and Related Benefits	10,433	10,818
Occupancy and Other Operating Expenses	<u>9,010</u>	<u>9,652</u>
Restaurant Cash Flow	<u>1,846</u>	<u>2,563</u>
Franchise Fees and Royalties	529	875
General and Administrative Expenses	3,696	3,379
Stock Compensation Expense	160	55
Depreciation and Amortization	1,606	2,090
Restaurant Pre-opening Expenses	-	-
Provision for Losses on Asset Impairments and Disposals	1,291	6,031
Closed Store Costs	3	16
Lease Termination Expense (Benefit)	115	253
Gain on Sale of Assets	<u>(102)</u>	<u>-</u>
Operating Loss	(4,394)	(8,386)
Interest Income, net	-	10
Other Income, net	<u>(52)</u>	<u>6</u>
Loss From Continuing Operations	\$ (4,446)	\$ (8,370)
Discontinued Operations:		
Operating Loss From Discontinued Operations	-	-
Asset Impairments of Discontinued Operations	-	-
Loss From Discontinued Operations	<u>\$ -</u>	<u>\$ -</u>
Net Loss	<u>\$ (4,446)</u>	<u>\$ (8,370)</u>
EPS:		
Continuing Operations	\$ (0.11)	\$ (0.21)
Discontinued Operations	-	-
Net Loss	<u>\$ (0.11)</u>	<u>\$ (0.21)</u>



Restaurant Margin Performance - YTD

	U.S. Dollars in Thousands ⁽¹⁾					
	52 Weeks Ended December 28, 2009		52 Weeks Ended December 29, 2008		Margin Change ⁽¹⁾	
Restaurant Net Sales	\$ 116,375	100.0%	\$ 132,501	100.0%	---	
Comp Sales % ⁽²⁾	-10.8%		-0.9%			
Cost of Food and Beverage	26,429	22.7%	30,235	22.8%	10 Basis Points Decrease	
Gross Profit	89,946	77.3%	102,266	77.2%	10 Basis Points Increase	
Labor and Related Benefits	42,742	36.7%	45,375	34.2%	250 Basis Points Increase	
Other Operating Expenses	14,035	12.0%	15,912	12.0%	No Change	
Controllable Contribution	33,169	28.5%	40,979	30.9%	240 Basis Points Decrease	
Occupancy Costs	22,582	19.4%	23,909	18.0%	140 Basis Points Increase	
Restaurant Cash Flow	\$ 10,587	9.1%	\$ 17,070	12.9%	380 Basis Points Decrease	

⁽¹⁾ Due to Rounding, some percentages might not foot.

⁽²⁾ As reported in public filings.



LIFE SHOULD BE DELICIOUS™

Reconciliation of Non-GAAP Measures To Net Income

	<u>52 Weeks Ended December 28, 2009</u>	<u>52 Weeks Ended December 29, 2008</u>
Restaurant Net Sales	\$ 116,375	\$ 132,501
Cost of Food and Beverage	26,429	30,235
Labor and Related Benefits	42,742	45,375
Occupancy and Other Operating Expenses	<u>36,617</u>	<u>39,821</u>
Restaurant Cash Flow	<u>10,587</u>	<u>17,070</u>
Franchise Fees and Royalties	2,198	3,078
General and Administrative Expenses	14,041	18,617
Stock Compensation Expense	1,003	1,349
Depreciation and Amortization	7,050	8,409
Restaurant Pre-opening Expenses	13	100
Provision for Losses on Asset Impairments and Disposals	1,530	7,099
Closed Store Costs	48	69
Lease Termination Expense (Benefit)	322	551
Gain on Sale of Assets	<u>(102)</u>	<u>-</u>
Operating Loss	(11,120)	(16,046)
Interest Income, net	(1)	95
Other Income, net	<u>17</u>	<u>41</u>
Loss From Continuing Operations	\$ (11,104)	\$ (15,910)
Discontinued Operations:		
Operating Loss From Discontinued Operations	-	(224)
Asset Impairments of Discontinued Operations	-	(88)
Loss From Discontinued Operations	<u>\$ -</u>	<u>\$ (312)</u>
Net Loss	<u>\$ (11,104)</u>	<u>\$ (16,222)</u>
EPS:		
Continuing Operations	\$ (0.27)	\$ (0.40)
Discontinued Operations	-	-
Net Loss	<u>\$ (0.27)</u>	<u>\$ (0.40)</u>