

**Robert Purvin**

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**From:** Robert Purvin  
**Sent:** Thursday, August 07, 2008 12:42 AM  
**To:** 'dale@fransynergy.com'  
**Cc:** Rudy Harper; 'texlawdoc@aol.com'; [redacted other recipients]  
**Subject:** FW: Cuppy's Conference Call  
**Attachments:** RE: AAFD Conference Call for Cuppy's Franchisees

Dear Dale,

I am forwarding my email below as a courtesy to keep you informed of my communications to the AAFD board and the public. Given the fact that you have determined to ignore my previous emails over the past six weeks, I am not sure you have any interest in my attempts to communicate.

You may be aware of a published report on Bluemaumau this morning alleged to be regarding a public invitation for Cuppy's franchisees to attend a conference call tomorrow. In reality this was intended to be a private call with about 5 owners who have recently contacted the AAFD to explore the formation of a Cuppy's Franchisees Chapter of the AAFD. This 'business as usual' routine call was fed to one of the Bluemaumau bloggers, and ultimately published. Unfortunately, the meeting call invitation prepared by Stacie Power of the AAFD regarding this call does read like an open invitation.

Given the heat the AAFD has taken regarding our 'endorsement' of Cuppy's franchise agreement, our special Cuppy's Board task force met in a special session today to discuss this call. It was decided that we need to proceed with the announced call, albeit not as a planning session regarding our forming Cuppy's chapter. Rather, we will use the call to announce the results of my report to the AAFD Board of Directors, and my recommendation to withdraw Cuppy's Accredited Contract status do to Cuppy's failure to honor various commitments made to the AAFD regarding collaborative initiatives, as well as the recent surfacing of serious allegations of contractual breaches and the failure of your management to even respond to these allegations.

The AAFD Board of Directors will not meet to receive my report until September 4 and may not take formal action until our Fall meeting on September 24. Due to the serious allegations that have been raised, and your apparent decision to cease our communications, I have determined to suspend your Accredited status with the AAFD pending consideration and action of the AAFD Board of Directors. I intend to announce this decision during tomorrow's conference call, a few days prior to the date I had targeted and before my written report is published. You should also know that attorney Michael Webster, recently elected to the AAFD Board and a long standing member of the AAFD's Standards Committee, is also preparing his own report regarding the Cuppy's and Elite situation. I have not seen Mr. Webster's report, but from my discussions with Mr. Webster, I expect his report to disclose a different and troubling set of concerns regarding the companies' activities.

The AAFD also intends to proceed with our plans to support an independent association of Cuppy's owners, although our organizing call will be delayed due to the public disclosures regarding tomorrow's call. The AAFD always counsels our chapters and affiliated associations to seek negotiated and collaborative solutions to system issues and problems. We also counsel our groups to secure expert legal advice, but to view litigation as a last resort when negotiation and diplomacy fail.

I am sure you have compelling reasons for the decisions you have made to abandon your communications and cooperation with the AAFD. Unfortunately, in the absence of any discussion, we are left to make assumptions based upon the information available to us. I had sincerely hoped to help Cuppy's work its way through its mounting difficulties in a manner that protects the interests of all Cuppy's franchise owners (and employees for that matter) and would help your brand to survive. Nevertheless, I have come to the conclusion, supported by our special task force, that we have no option but to take the actions we intend to announce.

As always, my door is open to communication and an honest effort to resolve the growing conflict and controversy surrounding the Cuppy's brand.

Very truly yours,  
 Bob Purvin

AAFD	The Center for Total Quality Franchising!
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