

## **Original Letter Published on April 19, 2021**

### **Open Letter to Elisabeth Deluca, Co-Owner of Doctor's Associates Inc. (DAI) parent company of Subway**

Dear Ms. Deluca,

We are the Franchisees of Subway. We've worked hard, struggled, and persevered all in the name of chasing our piece of the American Dream. Many of us are immigrants, coming from countries around the world in search of a better life for our families. Many of us have invested our life savings to be part of Subway, the brand that we cherish.

Subway is more than a company to us; it is an aspirational idea. Subway gave us and our families hope. Many of us, especially those of us who do not have formal education, never dreamed that one person with very little means can open up a store that can generate hundreds of thousands of dollars a year.

Sadly, for many of us, this dream has turned into a nightmare.

We didn't understand that language in our Franchise Agreements was written in a way so that Subway could change the rules on us at any time, without notice, for anything.

We were denied by Subway when we tried sourcing higher quality tuna, or when we tried to get fresh produce sent to us everyday as opposed to twice a week.

We went along when Subway Development Agents forced us to open stores right next to our existing locations, or else Subway would recruit a competitor to put us out of business.

We watched as the high performing stores that we put our blood, sweat, and tears into were taken from us by Subway Development Agents, because there was a smudge on our window, or cucumbers were not sliced to a precise thickness.

There was little that we could do about that. As Subway Franchisees we don't directly lease our stores from the landlord, we sublease them from Subway even though we are the ones that find and choose the locations. So if Subway wants to kick us out of our locations for any reason, they are within their legal rights to, even if we've been playing by the rules the entire time.

During the COVID-19 pandemic as we struggled to keep our stores open, we were forced to subsidize loss leading promotions with our PPP loans and federal aid. We were prevented from reducing our hours to make ends meet so that the corporate office can generate more royalties.

We had to take away from our families so that we can pay royalties to you, a multi- billionaire who does not need a bailout or any federal aid.

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Whenever we have spoken out about any of these issues to the media, we have been silenced by Cease and Desist letters, biased arbitrations, and forced Non-Disclosure Agreements.

We have put our lives into Subway and we want to see it thrive and do well.

With just a few changes, we can improve Subway so much. Here's a few ways that we feel Subway can improve the business:

1. Any change to our Franchise Agreements must be mutually agreed upon.
2. Franchisees should have the right to directly lease their stores
3. Franchisees should have the right to source fresh vegetables every day and offer higher quality ingredients when they are available
4. Subway Business Development Agents must be barred from purchasing stores closed due to their inspections.
5. Each Franchisee should be exempt from paying royalties to Subway in the amount of the

PPP Loan and federal aid that they have received.

We also have a 6th request. As the Franchisees of this great company, we have built this company to what it is today. There is talk that a sale of Subway is pending. As part of any sale of Subway, we, the Franchisees, would like to receive a royalty rebate of 8% of the sale, to be proportionally distributed to the Franchisees by gross sales, as a sign of good faith for all of the turmoil, and heartache that we have endured throughout Subway's 40+ year history.

As our owner, we have never heard from you. We have tried to make our voices heard but have always been silenced by Subway corporate. Now, it is time for you to address these issues.

We pay a high royalty that eventually ends up in your pockets, every week. You may not be aware of all of the injustices that Franchisees have endured. However, not knowing is not good enough.

We see you presenting charities with large sums of money doing good work. If anything, this shows us that you want to do the right thing in life. Please do not turn a blind eye to us anymore.

Let's make the wrongs at Subway right, and together we can BUILD BACK a BETTER Subway greater than it ever was before. THIS IS OUR DESTINY.

Respectfully,

A Concerned Group of Subway Franchisees