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May 20, 2021

Grubhub Holdings, Inc.  
c/o Adam DeWitt, President  
111 W. Washington St  
Suite 2100  
Chicago, IL 60602

Dear Mr. DeWitt:

The Office of the Attorney General for the Commonwealth of Massachusetts (the "AGO") has received information concerning the fees that Grubhub charges restaurants and other covered establishments, as that term is defined in Session law 2020 Chapter 358, Section 98 (the "Delivery Fee Cap Statute"). After further review, the AGO has reason to believe that Grubhub Holdings Inc. ("Grubhub") is charging fees in excess of the Delivery Fee Cap Statute. The Delivery Fee Cap Statute provides that:

no third-party delivery service company...shall charge a covered establishment **a delivery fee per online order for the use of its services and fees other than a delivery fee** that totals more than 15 per cent of the purchase price of the online order. (emphasis added)

You are hereby directed to cease charging covered establishments fees in excess of 15% of the purchase price of the online order.

Further, this letter provides you with notice that your actions have violated the Massachusetts Consumer Protection Act, M.G.L. c. 93A, § 2. The Consumer Protection Act, G.L. c. 93A, prohibits unfair or deceptive acts or practices in the conduct of trade or commerce and authorizes the Attorney General to seek injunctive relief, restitution, civil penalties up to \$5,000 per violation, and the costs of the investigation and litigation.

In order to provide you with an opportunity to confer with representatives of the AGO, in person or by counsel or other representatives prior to such an action, we are providing you with this notice pursuant to M.G.L. c. 93A, § 4. The AGO will not assert any cause of action under M.G.L. c. 93A any sooner than five (5) days from the date of this letter. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Michael Sugar".

Michael Sugar  
Assistant Attorney General  
Insurance and Financial Services Division  
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