



Main Office: 17961 Hunting Bow Circle., Suite 102 • Lutz, Florida 33558  
303-470-5664 • 813-996-6100 • [www.dmkadvisorgroup.com](http://www.dmkadvisorgroup.com)

# Business Continuity Policy

## I. Emergency Contact Persons

Our firm's emergency contact persons are:

- Harold Schwartz, 813-996-6100, [hal.schwartz@dmkadvisorgroup.com](mailto:hal.schwartz@dmkadvisorgroup.com)
- Erin Baskett, 813-996-6100, [erin.baskett@dmkadvisorgroup.com](mailto:erin.baskett@dmkadvisorgroup.com)

These names will be updated in the event of a material change.

*Rule: FINRA Rule 4370(f); NASD Rule 1160.*

## II. Firm Policy

Our firm's policy is to respond to a Significant Business Disruption (SBD) by safeguarding employees' lives and firm property, making a financial and operational assessment, quickly recovering and resuming operations, protecting all of the firm's books and records, and allowing our customers to transact business. In the event that we determine we are unable to continue our business we will assure customers prompt access to their funds and securities.

### A. Significant Business Disruptions (SBDs)

Our plan anticipates two kinds of SBDs, internal and external. Internal SBDs affect only our firm's ability to communicate and do business, such as a fire in our building. External SBDs prevent the operation of the securities markets or a number of firms, such as a terrorist attack, a city flood, or a wide-scale, regional disruption. Our response to an external SBD relies more heavily on other organizations and systems, especially on the capabilities of our clearing firm.

### B. Approval and Execution Authority

Erin Baskett, CCO, a registered principal, is responsible for approving the plan and for conducting the required annual review. Erin Baskett or Harold Schwartz have the authority to execute this BCP.

### C. Plan Location and Access

Our firm will maintain copies of its BCP plan, the annual reviews and the changes that have been made to it for inspection. An electronic copy of our plan is located at [www.dmkadvisorgroup.com](http://www.dmkadvisorgroup.com) as well as the Firm's iCloud backup provider.

*Rule: FINRA Rule 4370(b), (d) and (e).*

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### **III. Business Description**

Our firm conducts business in equity, fixed income, and derivative securities. Our firm is an introducing firm and does not perform any type of clearing function for itself or others. Furthermore, we do not hold customer funds or securities. We accept and enter orders. All transactions are sent to our clearing firm, which executes our orders, compares them, allocates them, clears and settles them. Our clearing firm also maintains our customers' accounts, can grant customers access to them, and delivers funds and securities. Our firm services only retail customers.

Until September 2024, our only clearing firm was Fidelity Custody & Clearing Solutions (National Financial Services), 200 Seaport Boulevard, Boston, MA 02210, 800-752-7053, [www.nationalfinancial.com](http://www.nationalfinancial.com), with our contact person at our clearing firm as Craig Donnelly, (617) 563-7327, [craig.donnelly@fmr.com](mailto:craig.donnelly@fmr.com). Our clearing firm has also given us the following alternative contact in the event Mr. Donnelly cannot be reached: Laura Lynn Morrissey, (617) 392-0327, [lauralynn.morrissey@fmr.com](mailto:lauralynn.morrissey@fmr.com). As of September, the firm engaged with Hilltop Securities Inc, 717 N Harwood Street, Suite 3400, Dallas, TX 75201. The firm's contact at Hilltop is Cole Zamboanga, 214-859-1349 [cole.zamboanga@hilltopsecurities.com](mailto:cole.zamboanga@hilltopsecurities.com). The firm intends to wind down its engagement with National Financial over the course of 2024.

### **IV. Office Locations**

#### **A. Office Location**

Our corporate office is located at 17961 Hunting Bow Circle, Suite 102, Lutz, FL 33558. Its main telephone number is (303) 470-5664. Our employees may travel to that office by foot, car, bus and/or any other means available. Our employees further are permitted to work remotely from home, using the personal residence exemption to branch registration. We engage in order taking and entry at our home location.

### **V. Alternative Physical Location(s) of Employees**

In the event of an SBD, we will move our staff to another branch office closest to them, or to their personal residences. In the event of a Significant Business Disruption, we will engage in order taking and entry at these other branch office locations.

*Rule: FINRA Rule 4370(c)(6).*

### **VI. Customers' Access to Funds and Securities**

Customer funds and/or securities are held at our clearing firm. In the event of an internal or external SBD, if telephone service is available, our registered persons will take customer orders or instructions and contact our clearing firm on their behalf, and if our Web access is available, our firm will post on our Web site that customers may access their funds and securities by contacting Erin Baskett, 636-675-3746, [erin.baskett@dmkadvisorgroup.com](mailto:erin.baskett@dmkadvisorgroup.com). The firm will make this information available to customers through its Website.

If SIPC determines that we are unable to meet our obligations to our customers or if our liabilities exceed our assets in violation of Securities Exchange Act Rule 15c3-1, SIPC may seek to appoint a trustee to disburse our assets to customers. We will assist SIPC and the trustee by providing our books and records identifying customer accounts subject to SIPC regulation.

*Rules: FINRA Rule 4370(a); Securities Exchange Act Rule 15c3-1; see also 15 U.S.C. § 78eee.*

### **VII. Data Back-Up and Recovery**

Our firm maintains its books and records at 17961 Hunting Bow Circle, Suite 102, Lutz, FL 33558. Erin Baskett/CCO, (636-675-3746, is responsible for the maintenance of these books and records. Our firm scans the following document types and forms that are not transmitted to our clearing firm: new account applications for non-

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qualified accounts, one-time IRA withdrawal forms, customer margin agreements, management agreements, ACAT forms, etc. Electronic records are backed up to eFile Cabinet.

All records are readily accessible by executive personnel through “cloud” access to eFile Cabinet.

Our firm maintains back-up copies of its books and records electronically on the firm’s network. All administrative files are backed up to iDrive Cloud Backup, accessible by management personnel. Erin Baskett, 813-996-6100 is responsible for the maintenance of back-up books and records with standard computer backup procedures and keeps a copy at Ballantrae Professional Office Park, 17961 Hunting Bow Circle, Suite 102, Lutz, FL 33558-5374

In the event of an internal or external SBD that causes the loss of our paper records, we will recover them from our scanned document files as necessary. If our primary site is inoperable, we will continue operations from our back-up site or an alternate location. For the loss of paper records, we will electronically recover data from both eFile Cabinet or iDrive Cloud Backup. If our primary site is inoperable, continue operations from our back-up site or an alternate location.

Rule: *FINRA Rule 4370(c)(1).*

#### **VIII. Financial and Operational Assessments**

##### **A. Operational Risk**

***In the event of an SBD, we will immediately identify what means will permit us to communicate with our customers, employees, critical business constituents, critical banks, critical counter-parties, and regulators. Although the effects of an SBD will determine the means of alternative communication, the communications options we will employ will include our Website [www.dmkadvisorgroup.com](http://www.dmkadvisorgroup.com), telephone and voice mail, 813-996-6100, and email, [erin.baskett@dmkadvisorgroup.com](mailto:erin.baskett@dmkadvisorgroup.com). In addition, we will retrieve our key activity records as described in the section above, Data Back-Up and Recovery.***

Rules: *FINRA Rules 4370(c)(3), (c)(4), (c)(5), (c)(7), (c)(9 & (g)(2)).*

##### **B. Financial and Credit Risk**

In the event of an SBD, we will determine the value and liquidity of our investments and other assets to evaluate our ability to continue to fund our operations and remain in net-capital compliance. We will contact our clearing firm, critical banks and/or investors to apprise them of our financial status. If we determine that we may be unable to meet our obligations to those counter-parties or otherwise continue to fund our operations, we will request additional financing from our bank or other credit sources to fulfill our obligations to our customers and clients. If we cannot remedy a capital deficiency, we will file appropriate notices with our regulators and immediately take appropriate steps, including ceasing operation as a Broker/Dealer, turning all control of customer accounts to our clearing agent for service.

Rules: *FINRA Rules 4370(c)(3), (c)(8) & (g)(2).*

#### **IX. Mission Critical Systems**

Our firm’s “mission critical systems” are those that ensure prompt and accurate processing of securities transactions, including order taking, entry, execution, comparison, allocation, clearance and settlement of securities transactions, the maintenance of customer accounts, access to customer accounts, and the delivery of funds and securities.

We have primary responsibility for establishing and maintaining our business relationships with our customers and have sole responsibility for our mission critical functions of order taking and entry. Our clearing firm provides, by contract, the execution, comparison, allocation, clearance and settlement of securities transactions, the maintenance of customer accounts, access to customer accounts, and the delivery of funds and securities.

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Our clearing firm contract provides that our clearing firm will maintain a business continuity plan and the capacity to execute that plan. Our clearing firm represents that it will advise us of any material changes to its plan that might affect our ability to maintain our business and have made a copy of that plan available to us. In the event our clearing firm executes its plan, it represents that it will notify us of such execution and provide us with equal access to services as its other customers. If we reasonably determine that our clearing firm has not or cannot put its plan in place quickly enough to meet our needs, or is otherwise unable to provide access to such services, our clearing firm represents that it will assist us in seeking services from an alternative source.

Our clearing firm represents that it backs up our records at a remote, out of region site. Our clearing firm represents that it operates a back-up operating facility in a geographically separate area with the capability to conduct the same volume of business as its primary site. Our clearing firm has also confirmed the effectiveness of its back-up arrangements to recover from a wide scale disruption by testing and it has confirmed that it tests its back-up arrangements at least twice a year.

Recovery-time objectives provide concrete goals to plan for and test against. They are not, however, hard and fast deadlines that must be met in every emergency situation, and various external factors surrounding a disruption, such as time of day, scope of disruption, and status of critical infrastructure—particularly telecommunications—can affect actual recovery times. Recovery refers to the restoration of clearing and settlement activities after a wide-scale disruption; resumption refers to the capacity to accept and process new transactions and payments after a wide-scale disruption. Our clearing firm has the following SBD recovery time and resumption objectives: recovery time period of less than one hour and resumption time of less than one day.

### **A. Our Firm's Mission Critical Systems**

#### **1. Order Taking**

Currently, our firm receives customer orders from our Representatives via telephone and/or email. During an SBD, either internal or external, we will continue to take orders through any of these methods that are available and reliable, and in addition, as communications permit, we will inform our customers, when communications become available, to tell them what alternatives they have to send their orders to us. Customers will be informed of alternatives by email. If necessary, we will advise our customers to place orders directly with our clearing firm at 617-563-5977.

#### **2. Order Entry**

Currently, our firm enters orders to our clearing firm electronically. We place customer orders electronically through Wealthscape, as a rule. We have reviewed our clearing partners Business Continuity Plan. Under its BCP, we can expect key functions to be operational within one hour in an SBD.

In the event of an internal SBD, we will enter and send records to our clearing firm by the fastest alternative means available, which include telephone, FAX and email. In the event of an external SBD, we will maintain the order in electronic or paper format, and deliver the order to the clearing firm by the fastest means available when it resumes operations. In addition, during an internal SBD, we may need to refer our customers to deal directly with our clearing firm for order entry.

#### **3. Order Execution**

We currently enter orders for execution by forwarding them to our clearing agent electronically by entering them in the Wealthscape system. In the event of an internal SBD, we would forward orders to our clearing agent by the fastest means possible once communication was re-established. In the event of an external SBD, we would forward orders to our clearing agent by the fastest means possible once communication was re-established.

### **B. Mission Critical Systems Provided by Our Clearing Firm**

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Our firm relies, by contract, on our clearing firm to provide order execution, order comparison, order allocation, and the maintenance of customer accounts, delivery of funds and securities, and access to customer accounts. Our clearing partners BCP can be found here: [Business Continuity Plan - HilltopSecurities](#)

Rules: *FINRA Rules 3510(c) & (f)(1).*

#### **X. Alternate Communications Between the Firm and Customers, Employees, and Regulators**

##### **A. Customers**

We now communicate with our customers using the telephone, e-mail, our Web site, fax, U.S. mail, and in person visits at our firm or at the customers' location. In the event of an SBD, we will assess which means of communication are still available to us, and use the means closest in speed and form, written or oral, by the means we have used in the past to communicate with them. For example, if we have communicated with a party by e-mail but the Internet is unavailable, we will call them on the telephone and follow up where a record is needed with paper copy in the U.S. mail.

Rule: *FINRA Rule 4370(c)(4).*

##### **B. Employees**

We now communicate with our employees using the telephone, e-mail, U.S. Priority Mail and in person. In the event of an SBD, we will assess which means of communication are still available to us, and use the means closest in speed and form, written or oral, to the means that we have used in the past to communicate with the other party. We will also employ a call tree so that senior management can reach all employees quickly during an SBD. The call tree includes all staff home and office phone numbers. :

The person to invoke use of the call tree is: Erin Baskett.

<b>Caller</b>	<b>Call Recipients</b>
Erin Baskett	Greenwood Village Office, Seattle, WA Office, John Ohman, Joseph Stapleton, Peter Wyrrough, Troy Cook, Richard Lalor, Gail Diane, Stephen Westveer, Robert Hammel, Craig Hubler, Timothy Canfield, Michael Chirko, Troy Cook, Jesse Bravo
Hal Schwartz	Jorge Perez, William Norton, Kelvin Douglas, Michael Weist, Janak Desai, Sunil Misra, Alberto Pedrosa-Menabrito, Ruben Rodriguez-Dominguez, Michael Blackmore, Rod Becker, William Potter, Jorge Gonzalez, Juan-Carlos Melendez

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### **C. Regulators**

We are currently a member of the following SROs: FINRA and MSRB. We communicate with our regulators using the telephone, e-mail, fax, U.S. mail, and in person. In the event of an SBD, we will assess which means of communication are still available to us, and use the means closest in speed and form, written or oral, to the means that we have used in the past to communicate with the other party.

Rule: *FINRA Rule 4370(c)(9).*

### **XI. Critical Business Constituents, Banks, and Counter-Parties**

#### **A. Business constituents**

We have contacted our critical business constituents, businesses with which we have an ongoing commercial relationship in support of our operating activities, such as vendors providing us critical services, and determined the extent to which we can continue our business relationship with them in light of the internal or external SBD. We will quickly establish alternative arrangements if a business constituent can no longer provide the needed goods or services when we need them because of an SBD to them or our firm.

Rules: *FINRA Rule 4370(c)(7).*

#### **B. Banks**

We have contacted our banks and lenders to determine if they can provide the financing that we will need in light of an internal or external SBD. The bank maintaining our operating accounts is: Chase Bank, 28470 State Road 54, Wesley Chapel, Florida 33543. Phone is 813.345.3835. Dedicated business manager: Terrod Bright. If our bank and other lenders are unable to provide the financing as needed, we will seek alternative financing immediately from private sources, if necessary.

Rules: *FINRA Rule 4370(c)(7).*

#### **C. Counter-Parties**

We are establishing critical counter-parties, such as other broker-dealers, to determine if we will be able to carry out our transactions with them in light of the internal or external SBD. Where the transactions cannot be completed, we will work with our clearing firm or contact those counter-parties directly to make alternative arrangements to complete those transactions as soon as possible.

Rules: *FINRA Rule 4370(c)(7).*

### **XII. Regulatory Reporting**

Our firm is subject to regulation by: FINRA, MSRB, various states and the SEC. We now file reports with our regulators using paper copies in the U.S. mail, and electronically using fax, e-mail, and the Internet. In the event of an SBD, we will check with the SEC, FINRA, MSRB and other regulators to determine which means of filing are still available to us, and use the means closest in speed and form, written or oral, to our previous filing method. In the event that we cannot contact our regulators, we will continue to file required reports using the communication means available to us. Regulator contact information is as follows: FINRA (303) 446-3100, MSRB (703) 797-6600 and the SEC (202) 942-8088.

Rule: *FINRA Rule 3510(c)(8).*

### **XIII. Disclosure of Business Continuity Plan.**

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We provide notice of our BCP to customers monthly by including disclosure of same on account statements provided by our Clearing Agent. We post the disclosure statement on our Web site and mail it to customers upon request. Our disclosure statement is attached. Customers are informed to review Firm's Website for BCP disclosure statement.

*Rule: FINRA Rule 4370(e).*

**XIV. Updates and Annual Review**

Our firm will update this plan whenever we have a material change to our operations, structure, business or location or to those of our clearing firm. In addition, our firm will review the BCP to certify and test pursuant to FINRA Rules.

*Rule: FINRA Rule 4370(b).*

**XV. Senior Manager Approval**

I approve this Business Continuity Plan as reasonably designed to enable our firm to meet its obligations to customers in the event of an SBD.

*Rule: FINRA Rule 4370(d).*

HAROLD A. SCHWARTZ

Title: CEO, Principal

Date: August 28, 2024