

# **Business Continuity Plan (BCP)**

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**Simonet Financial Group LLC**

**1300 Dacy Lane Suite 230**

**Kyle, TX 78640**

**(512) 296-8962**



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## Introduction

Simonet Financial Group LLC (“Simonet Financial”) has developed a Business Continuity Plan (“BCP”) to provide procedures for response and recovery in the event of a significant business disruption (“SBD”). The purpose of this BCP is to identify the responsible personnel in the event of a disaster; safeguard employees' lives and the property of Simonet Financial; evaluate the situation and initiate appropriate action steps to recover and resume operations.

This BCP was developed after considering the types of business conducted by Simonet Financial, the systems critical to support the business, and the geographic location of the office and personnel. This BCP addresses:

- Data back-up and recovery (hard copy and electronic)
- Books and records
- All mission critical systems
- Financial and operational assessments
- Alternate communications between customers and the member
- Alternate communications between the member and its employees
- Alternate physical location of employees
- Critical business constituent, bank, and counter-party impact
- Regulatory reporting
- Communications with regulators
- How Simonet Financial will assure customers’ prompt access to their funds and securities in the event that Simonet Financial is unable to continue business.

## Emergency Contact Persons

The emergency contact person for Simonet Financial is:

| Name           | Title              | Email  | Phone #      |
|----------------|--------------------|--|--------------|
| Jerri K. Myers | Operations Manager | <a href="mailto:JKMyers@SimonetFinancial.com">JKMyers@SimonetFinancial.com</a> | 512-227-1297 |

## Emergency Contact List

Simonet Financial has established an emergency contact list that includes the names, phone numbers, e-mail addresses, and other contact information for individuals critical to Simonet Financial's business including key employees, key vendors or service providers, regulators, insurance carriers, banks, attorneys, and other key contacts. This list will be reviewed and updated on at least an annual basis.

Simonet Financial has designated a primary person to perform the following tasks depending upon the nature and severity of the business disruption. This person has the responsibility to initiate action.

| Action   | Primary        |
|--|----------------|
| Contact emergency services such as police, fire department | Jerri K. Myers |

|   |                               |
|---|-------------------------------|
| Establish an off-site command center and notify employees   | Bill Simonet                  |
| Contact employees regarding BCP initiatives   | Bill Simonet                  |
| Assess financial and operations capabilities  | Jerri K. Myers & Bill Simonet |
| Determine financial and credit risk and contact banks, if necessary, to secure financing to continue operations | Bill Simonet                  |
| Notify regulators in the event of a capital deficiency  | Bill Simonet                  |
| Interface with the Securities Investor Protection Corporation, if liquidation of business is initiated          | Bill Simonet                  |
| Contact critical service providers  | Bill Simonet & Jerri K. Myers |
| Transfer mission critical functions that are disrupted to alternative location(s)                               | Bill Simonet                  |
| Initiate alternative customer communications systems or procedures  | Bill Simonet & Jerri K. Myers |
| Notify customers regarding alternative access to funds and securities   | Bill Simonet & Jerri K. Myers |
| Recover back-up records when primary records are destroyed or inaccessible                                      | Bill Simonet & Jerri K. Myers |
| Contact regulators and notify them of contact persons and BCP initiatives                                       | Bill Simonet                  |

## Policy of Simonet Financial

Simonet Financial's policy is to respond to both internal and external SBDs by safeguarding employees' lives and Simonet Financial's property, making a financial and operational assessment of the situation, implementing the appropriate actions to quickly recover and resume operations, protecting all of Simonet Financial's books and records, and allowing our customers to transact business. In the event that Simonet Financial is unable to continue business, we will ensure customers have prompt access to their funds and assets.

## Significant Business Disruptions ("SBD"s)

Our plan anticipates two kinds of SBDs, internal and external. Internal SBDs affect only Simonet Financial's ability to communicate and do business. Internal SBDs would include:

- Destruction of Simonet Financial's office or facilities, whether by natural causes or by other means
- Loss of life or major injuries to personnel in the office that disables that office's ability to conduct business

- Disruption of service from a critical service provider
- External SBDs prevent the operation of the financial markets or a number of firms.

External SBDs would include:

- A terrorist attack
- A city flood
- Wide-scale, regional disruption

The response to an external SBD relies more heavily on other organizations and systems, especially on the capabilities of custodial relationship and our bank.

## Employees

Our employees are one of our most valuable resources. We make every effort to protect them from harm at the workplace and to retain them. In the event of a disaster the staff has been informed to check in with one of the managers to receive instructions.

In the event of a disaster, we would hire carefully screened temps and subcontract out non-confidential work in the event of loss of a large number of employees. Any management team member could be replaced by hiring a combination of consultants and other professionals. There are plans for ownership transfer in the event of the owner's death. If this BCP is not implemented, it is the responsibility of the management team to sell the business.

## Clients

All clients will be notified within five business days of the death or incapacity of any key persons.

All client investments will be maintained as is, upon the death or incapacity of key persons. Clients will be instructed to go to the custodian's website to either liquidate their accounts or move them to another firm.

## Approval and Execution Authority

Bill Simonet is responsible for approving this Business Continuity Plan and for conducting the required annual review. Bill Simonet has the authority to execute this BCP. The following is a list of personnel and their responsibilities in regards to Simonet Financial's BCP.

| Responsibility                                     | Name                          |
|--|-------------------------------|
| Maintain, revise and update the BCP as necessary   | Bill Simonet                  |
| Approve the BCP                                    | Bill Simonet                  |
| Annual review and testing of the BCP               | Bill Simonet                  |
| Implementation of the BCP when a disruption occurs | Bill Simonet & Jerri K. Myers |
| Maintain and distribute an emergency contact list  | Jerri K. Myers                |

|   |                               |
|---|-------------------------------|
| Maintain and update Books and Records   | Jerri K. Myers                |
| Provide BCP information to customers: <ul style="list-style-type: none"> <li>• At account opening</li> <li>• Upon request</li> </ul>  | Jerri K. Myers                |
| Post the BCP disclosure on Simonet Financial's web site and update, as necessary  | Bill Simonet & Jerri K. Myers |
| Review assurances of third party disaster plans: <ul style="list-style-type: none"> <li>• At initial engagement of third party</li> <li>• Annually when Simonet Financial's the BCP is reviewed.</li> </ul> | Bill Simonet                  |

## Retention and Location of the Business Continuity Plan

Simonet Financial will maintain copies of its BCP and the annual reviews, and the changes that have been made to it for inspection. Copies of the current and prior versions of our Business Continuity Plan are retained as follows:

- A current approved hard copy is retained by
- An electronic copy is retained in the office

## Phone Service

The Adviser's phone system is relatively simplistic and could be moved or replaced within hours. In addition, phones can be forwarded in a fraction of that time. In the event of an onsite disaster, telephone service will be established at the new location as well as through the Employees' personal cell phones.

## Computers and peripherals

The Adviser's equipment needs are not very sophisticated or extensive. The Adviser could be operational within hours and completely restored in less than a day. There may be a need to purchase additional equipment to accomplish the restoration. However, the necessary equipment is readily available at multiple vendors. Any available IT specialist could execute the restoration in the event that the current IT relationship is unavailable. Restoration efforts might affect the modem speeds and response time depending upon each application. The rest of the office equipment is generic and could be readily replaced.

## Business Description

The Adviser conducts business in investment advice and financial planning, and offers securities and insurance products. The Adviser does not perform any type of clearing function for itself or others. Furthermore, the Adviser does not hold customer funds or securities. The Adviser services retail customers, small businesses, and plan sponsors.

## Office Locations

Simonet Financial has an office located at:

Simonet Financial Group LLC  
1300 Dacy Lane Suite 230

Kyle, TX 78640

Our main telephone number is (512) 296-8962. Our employees may travel to this office by foot, car, bus, or taxi. We engage in application processing at this location.

The following mission critical functions are performed at this location:

- Process and submit managed account applications
- Process and submit directly held account applications to the vendor
- Perform customer service functions for the client's accounts
  - Distribution requests
  - Beneficiary changes
  - Name changes
- Billing for management fees
- E-mail review and archival
- Advertising review and archival
- Correspondence archival
- Customer mailings

## **Alternative Physical Location(s)**

Our physical location could become unusable for many reasons. Regardless of the cause the impact would be the same, but the duration could be longer. In general, in the event employees can no longer conduct business at Simonet Financial's office location, the following actions will be taken:

- Transfer employees to a new office location
- Transfer critical systems to the new office or a back-up firm or system
- Transfer business operations to the new office
- Transfer business operations to a different entity if necessary

We have three plans in case of a SBD. They are as follows:

### **Plan A**

**Short-term disruptions that cause our building to be unavailable for time frames of less than one month such as power outages, broken HVAC, weather emergencies, or evacuations.**

To handle this type of disruption we would operate out of a remote location such as our homes, Executive Suites, in another professional's office, or a suite or ballroom at a local hotel. Employees will check in with the designated emergency contacts via their home phone number or cell phone number to be informed of place of operation. Vital equipment will be transported to the site if possible or borrowed/leased at the location of operation. If needed, data will be restored from data backups we have in place. Phones will be forwarded if possible.



## **Plan B**

**Intermediate-term disruptions that cause our building to be unavailable for a time frame of more than a month but less than a year such as fire, contamination, flood damage, or building structural problems.**

If we do not know the magnitude of the situation at the time of the event, we will utilize plan A above until it is clear that the time frame will exceed one month. We will lease temporary space from a business associate or through a commercial realtor. All equipment and files will be moved or replaced and phone lines will be transferred to the new location. Once our building is back online everything will be moved back.

## **Plan C**

**Permanent loss of use of building such as fire, flood, or terrorist attack.**

At the time of the event we should know the severity and would utilize Plan B until we could find new permanent office space.

If the city is destroyed or rendered uninhabitable, management will select evacuation locations. At that time we would regroup and choose an area in our state to house our operations. We have created procedures to protect our asset management data, financial data and other important documents. However, some less important data would have to be reconstructed. Our greatest challenge would be finding our clients. We would utilize whatever means necessary to contact our investors including email, website, telephone, and mail.

## **Customers' Access to Funds and Assets**

Simonet Financial does not maintain custody of customers' funds or securities, which are maintained at third party custodians. In the event of an internal or external SBD, if telephone service is available, the customers' access to their funds will be exactly as it was before the SBD.

If Simonet Financial is unable to continue business operations, customers will be notified of an alternative financial institution where they may conduct business and access their funds and securities.

## **Data Back-Up and Recovery (Hard Copy and Electronic)**

Simonet Financial maintains its primary hard copy and electronic books and records at 1300 Dacy Lane Suite 230, Kyle, TX 78640. is responsible for the maintenance of these books and records.

The computer systems at Simonet Financial are relatively unsophisticated in design and setup but are vital to the operation. The actual equipment is easily replaced but the data is almost irreplaceable, so we have implemented the following backup procedures:

- Images of client statements and documents are stored in a digital format and available at custodians.
- A complete copy of all our data is stored electronically in Sharefile.

Bill Simonet is responsible for the maintenance of these back-up books and records.

For the loss of electronic records, we will either physically recover the storage media or electronically recover data from our back-up site, or, if our primary site is inoperable, continue operations from our back-up site or an alternate location.

Simonet Financial maintains the following document types and forms:

- New Account Forms
- Beneficiary Change Forms
- Letters of Instruction
- Correspondence
- Personnel Records
- Advertising
- Distribution requests
- Financial Plans
- Client Statements
- Performance Reports

## **Financial and Operational Assessments**

The following describes procedures for assessing changes in operational, financial, and credit risk exposures in the event of a significant business disruption.

### **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 main number, (512) 296-8962.

### **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 capital compliance. We will contact our critical banks and 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 business.

### **Mission Critical Systems**

Mission critical systems are systems that are necessary to ensure prompt and accurate processing of securities transactions, maintaining customer account records, and providing access to customer funds and securities. We have the primary responsibility for establishing and maintaining our business relationships with our customers and have sole responsibility for our mission critical functions.

This document identifies systems (or generally describes procedures) that are critical to the operation of Simonet Financial's business; identifies third parties that provide those systems; and potential alternate procedures or systems for handling these critical functions in the case of a disruption.

## **Simonet Financial's Mission Critical Systems**

### **Order Taking**

Currently, Simonet Financial does not take orders from customers. Therefore our clients' ability to place orders will not be affected by a SBD.

### **Order Entry**

Currently, our Simonet Financial does not enter orders from customers.

### **Order Execution**

Currently, Simonet Financial does not execute orders from customers.

### **Investment Advisory Services**

In the event of an internal or external SBD, we would process the paperwork for a managed account as expeditiously as possible given the circumstances.

### **Directly Held Accounts**

In the event of an internal or external SBD, we would process the paperwork for a directly held account as expeditiously as possible given the circumstances.

### **Website Access to Accounts**

In the event of an internal or external SBD, we would work to maintain or restore website access to our customers' accounts or give our clients instructions on how to access their accounts at the custodian or directly held with the carrier/vendor.

### **Customer Service**

In the event of an internal or external SBD, we will work to process any customer requests and answer our customer's questions as quickly as possible given the extent of the SBD.

## **Alternate Communications between Simonet Financial and Customers, Employees, and Regulators**

Simonet Financial may use a wide range of communication systems to communicate with its customers, employees, counter-parties, and regulators including telephone, email, mail, fax, website, personal meetings, and through vendors. Procedures for instituting alternative communications in the event of a SBD include the following, depending on the nature of the disruption:

- Identify the most expedient remaining means of communication
- Notify employees if an off-site command center has been activated
- Notify employees of alternative communication systems to be used
- Transfer communications to another firm

Determination of what communication system will be used depends on the nature of the disruption and which communication systems (electronic mail, telephone calls, etc.) are functional and the availability of personnel in the event telephone contact is necessary.

## **Customers**

We now communicate with our customers using telephone, email, mail, fax, websites, personal meetings, and through some vendors/carriers. In the event of an SBD, we will assess which means of communication with customers are still available to us, and use the means closest in speed and form (written or oral) to the means of communication that we have used in the past. We will communicate to our employees regarding how to contact customers and then contact the clients as necessary. For example, if we have communicated with a party by email 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.

## **Employees**

We now communicate with our employees using telephone, email, 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 of communication that we have used in the past to communicate with our employees. 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's home and office phone numbers. The person to invoke use of the call tree is .

## **Regulators**

The Texas State Securities Board regulates us. We communicate with our regulators using 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 of communication that we have used in the past to communicate with the regulators. Communications with regulators will be conducted using the most expedient available communication system. We will contact regulators regarding any major business disruption and plans for continuing business.

Notification will be provided to the Regulators via the Investment Adviser Registration Depository system within 24 hours of the death or incapacity of key persons.

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

This section describes Simonet Financial's procedures regarding third parties that are critical to the conduct of Simonet Financial's business. In most instances, contracts with critical third parties will include assurances regarding the third party's disaster recovery plans. A disruption impacting Simonet Financial's ability to conduct business may occur either at Simonet Financial itself or at other third party location(s).

## **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 if we experience an internal or external SBD. In the case of a SBD, we will quickly establish alternative arrangements if a business constituent can no longer provide the needed goods or services to Simonet Financial.

We do not utilize any third party vendors that are so unique that they could not be replaced with a competitor. The only quasi third parties that would cause us great disruption are companies that make

up the infrastructure of the country. If the banking system, mail system, communication networks, security markets or federal government were rendered inoperative for any great length of time we would not be able to operate. We do not have the size or resources to provide these services ourselves.

**\*\*Please refer to Attachment B for a list of our major third party suppliers.**

The software that is utilized by Simonet Financial is mainstream and not customized for our operations.

## **Banks**

We have contacted our banks and lenders to determine if they can continue to provide the financing that we will need in light of the internal or external SBD. If our banks and other lenders are unable to provide the financing, we will seek alternative financing immediately from other lenders.

## **Disclosure of Business Continuity Plan**

Information about Simonet Financial's Business Continuity Plan is provided to customers as follows:

- Upon request, by mail

**\*\*Our disclosure statement is attached to the end of this BCP (Attachment A).**

## **Updates and Annual Review**

Simonet Financial will update this BCP whenever we have a material change to our operations, structure, major service providers, business or location. In addition, this BCP will be reviewed annually at our board meeting by board members.

Each revision will be approved by the designated senior manager and copies of the revised BCP will be distributed to the employees.

## **Senior Manager Approval**

I have approved this Business Continuity Plan as reasonably designed to enable Simonet Financial to meet its obligations to customers in the event of an SBD.

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

# Attachment A – Business Continuity Plan Letter

## Simonet Financial Group LLC Business Continuity Planning

Simonet Financial Group LLC (“Simonet Financial”) has developed a Business Continuity Plan for how we will respond to events that significantly disrupt our business. Since the timing and impact of disasters and disruptions is unpredictable, we will have to be flexible in responding to actual events as they occur. With that in mind, we are providing you with this information on our Business Continuity Plan.

**Contacting Us** – If after a significant business disruption (“SBD”) you cannot contact us as you usually do, you should call the company that issues your account statements directly or check our website at [www.simonetfinancial.com](http://www.simonetfinancial.com).

**Our Business Continuity Plan** – We plan to quickly recover and resume business operations after a significant business disruption and respond by safeguarding our employees and property, making a financial and operational assessment, protecting Simonet Financial’s books and records, and allowing our customers to transact business. In short, our Business Continuity Plan is designed to permit Simonet Financial to resume operations as quickly as possible, given the scope and severity of the SBD.

Our Business Continuity Plan addresses: data backup and recovery, all mission critical systems, financial and operational assessments; alternative communications with customers, employees and regulators; alternate physical location of employees; critical supplier, contractor, bank and counter-party impacts; regulatory reporting, and assuring our customers prompt access to their funds and assets if we are unable to continue our business.

**Varying Disruptions** – Significant business disruptions can vary in their scope, such as only at Simonet Financial, a single building housing Simonet Financial, the business district where Simonet Financial is located, the city where we are located, or the whole region. Within each of these areas, the severity of the disruption can also vary from minimal to severe. In a disruption to only Simonet Financial or a building housing Simonet Financial, we will transfer our operations to a local site when needed, and we expect to recover and resume business within 2 business days. In a disruption affecting our business district, city, or region, we will transfer our operations to a site outside of the affected area, and recover and resume business within five business days. In either situation, we plan to continue in business and will notify you through email or our website, and will provide information on how to contact us. If the SBD is so severe that it prevents us from remaining in business, we will assure our customers’ prompt access to their funds and securities.

**For more information** – If you have any questions about our Business Continuity Plan, you may contact us at:

Simonet Financial Group LLC  
1300 Dacy Lane Suite 230  
Kyle, TX 78640

**Phone:** (512) 296-8962

**Email:** [info@simonetfinancial.com](mailto:info@simonetfinancial.com)

## Attachment B – Major Third Party Service Suppliers

| Service         | Third Party Supplier  |   |  |
|-----------------|---|---|--|
|                 | Name  | Address   | Phone Number   |
| Phone           | Jive Communications   | 1275 West 1600 North,<br>Suite 100, Orem, UT<br>84057   | 1-866-768-5429   |
| Internet        | Spectrum  | 730 West Stassney Lane,<br>Suite 100, Austin, Texas<br>78758  | 1-855-580-9228   |
| Email           | Office 365  |   | 1-877-696-7786   |
| Email Capturing | Smarsh  | 851 Southwest 6 <sup>th</sup><br>Avenue, Suite 800,<br>Portland, OR 97204   | 1-866-762-7741   |
| Client Accounts | Fidelity, Folio<br>Institutional, ePlan<br>Services, Charles Schwab | <b>Fidelity:</b> 900 Salem<br>Street, Smithfield, RI<br>02917<br><b>Folio:</b> 8180 Greensboro<br>Drive, 8 <sup>th</sup> Floor, McLean,<br>VA 22102<br><b>ePlan:</b> 4300 Kittredge<br>Street, Suite 100, Denver,<br>CO 80239<br><b>Schwab:</b> 501 Congress<br>Avenue, Suite 125,<br>Austin, Texas 78701 | <b>Fidelity:</b> 800-343-3548<br><b>Folio:</b> 888-485-3456<br><b>ePlan:</b> 888-827-4749<br><b>Schwab:</b> 800-435-4000 |
| Client Reports  | eMoney Advisor  | 100 Matsonford Road,<br>Suite 300, Radnor, PA<br>19087  | 1-888-362-8482   |
| Client Reports  | Sharefile   | 10100 Reunion Place,<br>Suite 500, San Antonio,<br>Texas 78216  | 1-800-441-3453   |
| CRM             | Redtail Technology  | 11285 Pyrites Way, Suite<br>B, Gold River, CA 95670   | 1-800-206-5030   |
| Fund Research   | Investnet, Morning Star   | Morning Star: 22 West<br>Washington Street,<br>Chicago, IL 60602  | Investnet: 512-910-9341<br><br>Morning Star: 312-696-<br>6000  |

The software that is utilized by Simonet Financial is mainstream and not customized for our operations.