

# ViewTrade Securities, Inc.

## Business Continuity Plan (BCP) 2018

### **I. Emergency Contact Persons**

Our Firm's two emergency contact persons are: James St.Clair, President, (561) 703-6699, [james@viewtrade.com](mailto:james@viewtrade.com); and Mark Ford, Chief Compliance Officer/AML Compliance Officer, (954) 304-3204, [mark.ford@viewtrade.com](mailto:mark.ford@viewtrade.com). These names will be updated in the event of a material change, and our Executive Representative will review them at least annually.

### **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**

James St.Clair, President, a registered principal, is responsible for approving the plan and for conducting the required annual review. Mark Ford or Megan Deihl has the authority to execute this BCP.

#### **C. Plan Location and Access**

Our Firm will maintain copies of its BCP, the annual reviews, and the changes that have been made to it for inspection. An electronic version of our BCP may be accessed using the "Business Continuity Plan" link located at the bottom of the home page of our website at [www.viewtrade.com](http://www.viewtrade.com) . We also intend to utilize the BCP data repository offered by FINRA.

### **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 further routes for execution, our orders, compare 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 retail and institutional customers.

Our clearing firms are:

Merrill Lynch, Pierce, Fenner & Smith, Inc. (“Merrill Lynch”), One Bryant Park, New York, NY 10036, our contact person is James M. Chirdo, (646) 743-0772, email: [jim.chirdo@baml.com](mailto:jim.chirdo@baml.com) or the main switchboard (646) 855-5000.

APEX Clearing Corporation (“APEX”), 350 N. St. Paul Street, Ste. 1300, Dallas, TX 75201, our contact person is Jason McCauslin (214) 765-1167 email: [jmccauslin@apexclearing.com](mailto:jmccauslin@apexclearing.com) or [cs@apexclearing.com](mailto:cs@apexclearing.com).

#### **IV. Office Locations**

Our Firm has OSJ offices located in Florida, New Jersey, and Virginia.

##### **A. Florida Office**

Corporate and Local Branch Offices are located at 7280 W. Palmetto Park Road, Suite 310, Boca Raton, FL 33433. Its main telephone number is (561) 620-0306. Our employees may travel to that office by means of foot, car, or bus. We engage in Firm management, customer service, order taking, and entry at this location.

##### **B. New Jersey Office**

Our New Jersey Office is located at 525 Washington Blvd, 24<sup>th</sup> Floor, Jersey City, NJ 07310. Its main telephone number is (201) 217-4422. Our employees may travel to that office by means of foot, car, subway, train, bus, or boat. We engage in customer service, order taking, and entry at this location.

##### **C. Virginia Office**

Our Virginia Office is located at 2011 Crystal Drive, Suite 400 - Eastern Foundry, Arlington, VA 22202. Its main telephone number is (800) 847-8495. Our employees may travel to that office by means of foot, car, train, or bus. We engage in order taking and entry at this location.

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

In the event of an SBD, we will move the appropriate staff from affected offices to the closest of our unaffected office locations. If none of our other office locations are available to receive staff, employees will work from home and connect to office facilities and/or each other via telephone, email and internet based Virtual Private Network technology.

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

Our Firm does not maintain custody of customers’ funds or securities, which are maintained at our clearing firms, Merrill Lynch and APEX. 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 Merrill Lynch Customer Service or APEX Customer Service.

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.

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

Our Firm maintains its primary hard copy books and records at 7280 W. Palmetto Park Road, Ste. 310, Boca Raton, FL 33433. Megan Deihl, FINOP, (561) 620-0306, is responsible for the maintenance of these books and records. Our Firm maintains the following document types and forms that are not transmitted to our clearing firm:

- new account documentation
- all trading blotters and order memorandums
- all financial documentation, including payables, receivables and payroll
- all tax documentation and audited financials

Our Firm maintains a backup of its electronic records within a safety deposit box. The financial data is backed up every quarter or if necessary between quarters. These are stored locally in a safety deposit box at Wells Fargo Bank and Megan Deihl is responsible for the archiving of these records. The securities and client activity data is backed up on a monthly basis and this data is stored at Bank of America, 125 Pavonia Avenue, Jersey City, NJ 07310. The Firm engages a third party vendor ORBIS Systems to archive these records. Both are in the form of non-re-recordable CD-ROMS.

The Firm backs up its electronic records daily by downloading the files emailed from Merrill Lynch onto a hard-drive then burning to a CD-ROM these same files on a monthly basis, and keeps a copy at Bank of America, and from APEX by downloading the files emailed to the Boca Raton office and archiving the reports to a non re-recordable DVD and storing in a safety deposit box at Wells Fargo Bank, 5400 SW 18<sup>th</sup> Street, Boca Raton, FL 33433.

In the event of an internal or external SBD that causes the loss of our paper records, we will physically recover them from Merrill Lynch and APEX for those records archived by Merrill Lynch and APEX. If our primary site is inoperable, we will continue operations from our back-up site or an alternate location. For the loss of electronic records, we will physically recover the storage media from our back-up storage facility.

## **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 internal email service, third party vendor email services, home telephone service and cell phone service. The necessary information to maintain these lines of communication have been compiled in a single spreadsheet and has been disseminated to each location. In addition, we will retrieve our key activity records as described in the section above, Data Back-Up and Recovery (Hard Copy and Electronic).

### **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 capital compliance. We will

contact our clearing firm, 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 regulatory capital obligations. If we cannot remedy a capital deficiency, we will file appropriate notices with our regulators and immediately take appropriate steps, including contact with all employees, the clearing firm and regulators.

## **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. More specifically, these systems include those provided by our clearing firms, Merrill Lynch and APEX. All account access, order transmittal, account inquiry and back-office functions are accessed online via the Merrill Lynch and APEX sites, which are web based products and accessible from any internet connection.

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 firms provide, through 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.

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

Our clearing firms represent that they back up our records at out of region sites. Our clearing firms represent that they operate a back-up operating facility in a geographically separate area with the capability to conduct the same volume of business as their primary site. Our clearing firms have also confirmed the effectiveness of their back-up arrangements to recover from a wide scale disruption through a regular review and testing of their procedures.

Recovery-time objectives provide concrete goals to plan for and test against. While their plans call for hard and fast deadlines that must be met in every emergency situation, 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 firms SBD recovery times and resumption objectives are accessible via <http://www.apexclearing.com/docs/Apex-BCP-Plan.pdf> & enclosed in their BCP.

## A. Our Firm's Mission Critical Systems

### **Order Taking**

Currently, our Firm receives orders from customers via website and or telephone. During an SBD, either internal or external, we will continue to take orders through both of these methods, if 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 either facsimile transmission, if available and practical, through the Firm's telephone voice mail system and/or on the Firm's website. If necessary, we will advise our customers to place orders directly with our clearing firms, using the Disaster Recovery numbers available to us.

### **Order Entry**

The Firm enters orders through Orbis System's (Pro-Trader and WebTrader) platform. In the event of an internal SBD, we will enter and send records to our clearing firms by the fastest alternative means available, which shall include, but not limited to, telephone, intranet wire service or cell phone. In the event of an external SBD, we will maintain the order in electronic or paper format, and deliver the order to the clearing firms by the fastest means available when they resume operations. In addition, during an internal SBD, we may need to refer our customers to deal directly with our clearing firms for order entry.

### **Order Execution**

We currently send all orders to the exchanges, market makers as well as our clearing firms for execution. In the event of an internal SBD, we would refer our customers to our clearing firms who will initiate their Disaster Recovery Procedures for the handling of these orders. In the event of an external SBD, we would immediately contact our clearing firms to determine the initiatives underway pursuant to their BCP and follow the direction given and to contact numbers, personnel contact, etc.

### **Other Services Currently Provided to Customers**

In addition to those services listed above in this section we also instruct our clearing firms as to the delivery of securities and cash on behalf of our clients as well as the processing of legal transfers. In the event of an internal SBD, we would refer our clients to contact our clearing firms Customer Service Departments directly if all means of communication with the Firm have failed. In the event of an external SBD, we would immediately contact our clearing firms to ascertain the availability of these services and follow their instructions pursuant to their BCP.

## B. Mission Critical Systems Provided by Our Clearing Firms

Our Firm relies, by contract, on our clearing firms to provide order execution, order comparison, order allocation, and the maintenance of customer accounts, delivery of funds and securities, and access to customer accounts.

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

### A. Customers

We now communicate with our customers using the telephone, fax, U.S. mail, and email at our Firm or at the other's 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) to the means that we have used in the past to communicate with the other party. For example, if we have communicated with a party by telephone but the land lines are unavailable, we will call them via cell phones and follow up where a record is needed with paper copy in the U.S. mail.

## **B. Employees**

We now communicate with our employees using the telephone, email, fax, 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, fax numbers as well as known email addresses. The call tree will be divided by office and the designated principal in each location will contact one of the Firm's Emergency Contact persons. The persons within the call tree are attached. The person to invoke use of the call tree is James St.Clair.

## **C. Regulators**

We are currently members of FINRA. 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.

# **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 a SBD to them or our Firm. Many of these vendors have their own Disaster Recovery Systems, Emergency Management Teams and Business Continuity Plans to help restore services to their customers in the event of a SBD, including, but limited to our telephone carriers and quote providers

## **B. Banks**

We have contacted our banks to determine if they can continue to provide the bank services that we will need in light of the internal or external SBD. The bank maintaining our operating account is: Bank of America, 150 E. Palmetto Park Rd., 8<sup>th</sup> Floor, Boca Raton, FL 33432, (813) 639-5108 and the contact is Christel R. Ventura. In the event of an external SBD effecting the region, the Bank of America contact information is: 125 Pavonia Avenue, Jersey City, NJ 07310, (201) 626-2853 and the contact person is Kathy Eldana. If our banks and other lenders are unable to provide any necessary financing, we will seek alternative financing immediately from officers and directors of the Firm.

# **XII. Regulatory Reporting**

Our Firm is subject to regulation by FINRA, SEC and each state regulator in which the Firm is registered. 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, 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.

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

We will provide in writing a BCP disclosure statement to customers on an annual basis. We also have the BCP disclosure statement posted on our website at [www.viewtrade.com](http://www.viewtrade.com) under Products and Services. In addition, we will mail a copy to any customer upon request. Our disclosure statement is attached.

### **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 this BCP annually, to modify it for any changes in our operations, structure, business, or location or those of our clearing firm.

### **XV. Senior Manager Approval**

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

Signed: *James St.Clair*

Title: President

Date: January 2, 2018