

**MCA Securities**  
**Business Continuity Plan**  
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This "Business Continuity Plan" has been created to meet the requirements described in FINRA Rule 4370. This Business Continuity Plan is reasonably designed to enable our firm to meet its obligations to customers in the event of a Significant Business Disruption.

Printed Name & Title: Andrew Bernhardt, CCO \_\_\_\_\_  
Date: June 7, 2022 \_\_\_\_\_

This Plan is effective from the date approved until the date of its authorized revision, update or replacement (see below).

## **Introduction**

FINRA Rule 4370 requires each member to create and maintain a Business Continuity Plan (BCP) that identifies procedures relating to an emergency or Significant Business Disruption (SBD) that are “reasonably designed to enable the member to meet its existing obligations to its customers.” In addition, the plan must address the firm’s existing relationships with other members and counter-parties. This plan must be promptly made available to the FINRA staff upon request.

Rules 4370(b) requires that each member review its plan at least annually to determine if any changes are needed and update its plan more frequently in the event of any material change to its operations, structure, business or location.

The plan should reflect the firm’s business and operations. Therefore, the requirements of the plan, as identified in Rule 4370, are flexible and should be tailored to the firm’s size and needs.

However, at a minimum, MCA Securities’ plan must address the following areas:

- Data back-up and recovery (hard copy and electronic);
- 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 constituents, banks, and counter-party impact;
- Regulatory reporting;
- Communications with regulators; and
- How the member will assure customers’ prompt access to their funds and securities in the event that the member determines that it is unable to continue its business.

Each firm is required to only address the elements applicable to its business, but the plan must contain an explanation if any element above is not included.

Rule 4370 requires each member to designate two individuals as emergency contacts that FINRA may contact in the event of a significant business disruption. Each contact must be a registered principal or member of senior management. However,

- If the member has only one principal but has other employees, the second contact should be another firm employee, or
- If the firm has only one principal and no other employees, the second contact may be someone who has knowledge of the firm’s business, such as an accountant, attorney, etc.

Rule 4370 also requires that each member enter this information into FINRA’s Contact System (NCS) at [https://regfiling.finra.org/contacts/ncs\\_contacts.aspx](https://regfiling.finra.org/contacts/ncs_contacts.aspx) and that required changes are made promptly.

## **1. Emergency Contact Persons**

MCA Securities has designated the following individuals to act as contact persons for the firm as required under Rule 4370:

### **Primary Contact**

Name, Title: Andrew Bernhardt  
Address: 3060 Peachtree Road, NW, Suite 1005, Atlanta, GA 30305  
Telephone Number: 404-550-2357  
Fax Number:  
E-mail Address: andrew@mc-advisors.com

### **Secondary Contact:**

Name, Title: Greg Cohn  
Address: 3060 Peachtree Road, NW, Suite 1005, Atlanta, GA 30305  
Telephone Number: 404-798-7612  
Fax Number:  
E-mail Address: greg@mc-advisors.com

These contacts will be reported through FINRA's Contact System. This system may be accessed directly at [https://regfiling.finra.org/contacts/ncs\\_contacts.aspx](https://regfiling.finra.org/contacts/ncs_contacts.aspx) or through the Firm Gateway at [www.finra.org/firmgateway](http://www.finra.org/firmgateway) and must be updated in the event of a material change. In addition, MCA Securities' Executive Representative or his/her written designee must review and update this information, if necessary, within 17 business days of the end of the calendar year. The Executive Representative or his/her designee will also ensure that contact information is updated promptly if changes occur at any time during the year.

### **Executive Representative:**

MCA Securities' Executive Representative is Greg Cohn.

The Executive Representative has designated Andrew Bernhardt, CCO as his/her designee for ensuring that the quarterly review and all changes or updates are done in accordance with Rule 4370.

### **Disaster Recovery Coordinator/Team:**

The Company has designated Andrew Bernhardt, CCO as the "Disaster Recovery Coordinator" ("Coordinator"). In his/her absence, Greg Cohn, CEO will assume his/her responsibilities.

The "Disaster Recovery Coordinator" has the responsibility to make an immediate preliminary assessment of the nature and extent of the disruption by assessing the following: electricity supply; condition of computer network/phones; damage to the building; HVAC in extreme weather; and other hazards.

If the Coordinator determines that personnel should evacuate the affected location, he must make an announcement to all personnel as to appropriate procedures. The announcement may be given via personal contact, e-mail, intercom or other methods as appropriate given the systems available; the size and location of the staff; and the size of the office or building. This announcement should be short and concise, should calmly identify the situation and should provide instructions to employees on how to respond. This announcement should be repeated as often as necessary to avoid confusion and to ensure all employees are aware of the situation. After ensuring the physical safety of Company personnel, the Coordinator must then implement this BCP.

If the situation does not merit evacuation, steps should be taken to alert designated persons of necessary actions to facilitate ongoing operations in the face of limited disruption. In this case, the Coordinator will determine which, if any, procedures in this BCP should be implemented.

In the event, the SBD has directly affected other areas of the building but has not directly impacted the Company's office, the Coordinator will contact building security or emergency personnel for instructions on how the Company should respond and proceed accordingly.

## **2. Firm Policy**

MCA Securities' 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 its customers to transact business. In the event that it is determined the firm is unable to continue its business, the firm will assure customers prompt access to their funds and securities.

### **Significant Business Disruptions (SBDs):**

MCA Securities' plan anticipates two kinds of SBDs, internal and external. Internal SBDs affect only the Company's ability to communicate and do business, such as a fire or loss of electrical power in the office or building.

External SBDs prevent the operation of the securities markets or a number of firms, such as a terrorist attack, a natural disaster, or another event that causes a wide-scale, regional disruption in essential services. The Company's response to an external SBD will rely more heavily on other organizations and systems, especially on the capabilities of the product sponsors or placement issuers, federal emergency authorities, local officials and utility companies.

### **Approval and Execution Authority:**

Andrew Bernhardt, a registered principal, is responsible for approving the plan and for conducting the required annual review.

Andrew Bernhardt, CCO has the authority to execute this BCP.

**Plan Location and Access:**

MCA Securities will maintain copies of its BCP plan, a record of the firm’s annual reviews, and the changes that have been made to the BCP for inspection by regulators. A hard copy of the Company’s Plan is located in its main business location and may be accessed by contacting Andrew Bernhardt, 404-550-2357, andrew@mc-advisors.com.

An electronic copy of the Company’s plan is located internally in MCA Securities electronic files in the BCP folder. A back-up copy of this electronic file is maintained with the companies back-up files at Advisor Vault.

A copy of the BCP will be provided to FINRA District Office #7 located in Atlanta, GA upon request.

**3. Business Description**

MCA Securities acts as the placement agent in the issuance of unregistered, private securities including: debt or equity issues, hedge fund shares, or limited partnership interests. The Company does not hold customer funds or securities. The issuer maintains all records related to customers’ investments and will deliver funds and securities upon the customer’s request. Our firm services only retail customers [OR retail and institutional customers].

**4. Office Locations**

The Company or its registered personnel currently operate from the following location:

Type of Location, Registered or Unregistered	Address and Main Phone Number	Located in a Personal Residence? (Y or N)	Means of Transportation Employees Use to Reach Office	Mission Critical Systems Taking Place at Office
Registered	3060 Peachtree Road, NW, Suite 1005 Atlanta, GA 30305	N	car, foot, bus, subway	Home Office Operations

**Alternative Physical Location(s) of Employees:**

In accordance with Rule 4370 each member must designate a location at which business will be conducted in the event the primary office of the Company must be evacuated. MCA Securities has no other office locations, therefore, in accordance with this requirement; members of the Company’s staff will relocate to their respective home offices. A listing of each employee’s residence is maintained in the firm’s personnel files.

**5. Customers’ Access to Funds and Securities**

The firm does not maintain custody of customers’ funds or securities. Respective hedge fund managers, private placement issuers, mutual fund sponsors, and variable annuity product issuers maintain all account records and documentation related to its customers’ investments.

In the event of a SBD:

1. If telephone service is available, our registered persons will make efforts to assist customers in contacting these entities, if so requested.
2. If Web access is available, the firm will post on its Web site information designed to assist customers reach these entities.

The Company will make this and additional information regarding accessing funds and/or securities available to customers through its disclosure policy (below).

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

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

MCA Securities maintains its primary books and records electronically at its Home Office location. Andrew Bernhardt, CCO is responsible for the maintenance of these books and records.

### **Back-up of Paper Records:**

MCA Securities maintains a back-up copy of its paper books and records electronically. In the event of an internal or external SBD that causes the loss of the MCA Securities' paper records, the Company will physically recover them from its back-up site. If the Company's primary site is inoperable, it will continue operations from its back-up site or an alternate location.

The Company does not hold customer funds or securities and customer investments are maintained directly by the respective fund or offeror. Therefore, an internal or external SBD affecting Company offices should not pose a threat to customer records or financial holdings.

### **Back-up of electronic records:**

The firm backs up its electronic records weekly via its third party vendor, Advisor Vault. Advisor Vault maintains a copy of this back-up in the cloud.

In the event that electronic records are lost, the Company will electronically recover data from its back-up site, or, if the Company's primary site is inoperable, continue operations from its back-up site or an alternate location.

## **7. Financial and Operational Assessments**

### **Operational Risk:**

In the event of a SBD, MCA Securities will immediately identify any methods available that will permit personnel to communicate with customers, other employees, critical business constituents, critical banks, critical counter-parties, and regulators.

Although the effects of a SBD will determine the means of alternative communication, the communications options the Company may employ will include telephone voice mail and secure e-mail. In addition, MCA Securities will retrieve key activity records as described in the section above, Data Back-Up and Recovery (Hard Copy and Electronic).

### **Financial and Credit Risk:**

In the event of a SBD, MCA Securities' FINOP will determine the value and liquidity of its investments and other assets to evaluate the Company's ability to continue to fund its operations and remain in capital compliance.

MCA Securities will contact its critical banks, and investors to apprise them of the Company's financial status. If the Company determines that it may be unable to meet its obligations to those counter-parties or otherwise continue to fund its operations, MCA Securities will request additional financing from our bank or other credit sources to fulfill its obligations to our customers and clients. If MCA Securities cannot remedy a capital deficiency, the FINOP will file appropriate notices with applicable regulators and immediately take appropriate steps, including suspension of certain business activities and contacting SIPC.

In the event of a suspension or termination of the Company's business, the Company will attempt to notify customers regarding the situation and provide them with instructions for accessing their funds or securities, if applicable, for verifying transactions in process or for conducting future business. Notification will be a form allowed based on the circumstances permitted by regulatory authorities and may include telephone calls, letters or a posting on the Company's website.

## **8. Mission Critical Systems**

### **Internal Mission Critical Systems**

MCA Securities does not maintain trading or other critical systems to handle customer accounts since its business is limited to acting as the placement agent in the offering of private, unregistered securities. The issuer of these securities is solely responsible for maintaining information regarding the holdings and the valuation of each investor's interest in these issues.

### **Order Taking**

Currently, the Company receives orders from customers via telephone, e-mail and in person. During a SBD, the Company will continue to take orders through any of these methods that are available and reliable.

The Company will inform its customers what alternatives they have to send their orders to us in the event traditional methods are interrupted. Customers will be informed of alternatives by disclosure information provided when a new business relationship is established and by calls

from personal cell phones, if phone services are affected, through messages via email or posted on the Company’s website or other means available.

**Order Entry/Submission**

Currently, MCA Securities submits orders by recording them on paper and sending them to its product sponsor or issuer electronically, by telephone or by mail.

In the event of an external SBD, the Company will maintain the order in electronic or paper format, and deliver the order to the product sponsor or issuer by the fastest means available when it resumes operations.

**Order Execution**

The Company does not execute orders. All business transacted by the Company is done on a subscription basis and execution is handled by the product sponsor or issuer.

**Other Services Currently Provided to Customers**

The Company does not provide any other services to its customers.

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

**Customers**

The Company currently communicates with our customers using the telephone, e-mail, our affiliate’s Web site, U.S. mail, and in person visits at our firm.

In the event of a 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 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.

**Employees**

The Company currently communicates with its employees using the telephone, e-mail, and in person.

In the event of a 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.

The Company will also employ a call tree so that senior management can reach all employees quickly during a SBD, if telephone service is available. The Disaster Recovery Coordinator and/or Emergency Management Team will be responsible for invoking the call tree. The call tree will include all staff home and office phone numbers.

Caller	Call Recipients
<i>Andrew Bernhardt</i>	<i>All other Employees</i>



The Company employs only 3 of employees who are located within close proximity to each other within a single office or in the branch location. Employees will be notified directly by the Disaster Recovery Coordinator, or his/her designee, as to events and the manner in which they should proceed.

**Regulators**

The Company is currently a member of FINRA and is registered with the SEC.

The Company is registered to conduct business in several states as listed on Form BD.

MCA Securities communicates with applicable regulators using the telephone, e-mail, fax, U.S. mail, and in person.

In the event of a 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.

**10. Critical Business Constituents, Banks, and Counter-Parties**

**Business constituents**

MCA Securities has contacted our critical business constituents (businesses with which the Company has an ongoing commercial relationship in support of its operating activities, such as vendors providing critical services), and determined the extent to which the Company can continue its business relationship with these businesses in light of the internal or external SBD. The Company 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.

Our major suppliers are:

Business Constituent	Address, Phone Number
AdvisorVault – Electronic Records Storage	842 Broadview Avenue Toronto, Ontario, M4K 2R1 Phone: 1-866-732-1407, 416-985-0310 Fax: 1-866-845-1352
ACA Group –Compliance Support	Three Canal Plaza, Suite 100 Portland, ME 04101 Phone: 603-216-8971

**Banks**

MCA Securities has contacted its banks and lenders to determine if they can continue to provide the financing that the Company may need in light of the internal or external SBD. The Company's accounts are currently with the following institutions:

<b>Types of account (i.e. checking, savings, PAIB, escrow)</b>	<b>Name of Financial Institution</b>	<b>Address of Financial Institution</b>	<b>Telephone Number</b>	<b>Contact Name</b>
Checking	Regions Bank	Two Buckhead Plaza 3050 Peachtree Road, NE, Suite 1 Atlanta, GA 30305		
Checking	Southern First	PO Box 17465 Greenville, SC 29606	864-679-9000	

If our banks and other lenders are unable to provide the financing, we will seek alternative financing.

### **Counter-Parties**

MCA Securities has contacted our critical counter-parties, such as other broker-dealers or institutional customers, 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.

## **11. Regulatory Reporting**

MCA Securities is subject to regulation by FINRA and SEC, as well as various states. The Company currently files 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 a 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.

The Company's current regulators can be reached as follows:

#### **FINRA**

Phone: 516-827-6168

Risk Monitoring Analyst: Andy Wu

E-mail: andy.wu@finra.org

#### **SEC Atlanta Region:**

Address: 950 East Paces Ferry, N.E., Suite 900, Atlanta, GA 30326

Phone: 404-842-7600

E-mail: atlanta@sec.gov

STATE of Georgia:

Address: Office of the Secretary of State, Securities and Charities Division, 2 Martin Luther King, Jr., Drive, SE, Suite 317, West Tower, Atlanta, Georgia, 30334

Phone: 404-654-6021

E-mail: registrations@sos.ga.gov

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

The Company will disclose in writing a summary of our BCP to customers at the time a business relationship is established. The Company will notify customers in writing when material changes are made to the Plan than may affect their business relationship with the Company. The Company will also [post the summary on our Web site and] mail it to customers upon request.

The summary addresses the possibility of a future SBD and how we plan to respond to events of varying scope. In addressing the events of varying scope, the summary:

1. Provides specific scenarios of varying severity (e.g., a firm-only business disruption, a disruption to a single building, a disruption to a business district, a city-wide business disruption, and a regional disruption);
2. States whether we plan to continue business during that scenario and, if so, our planned recovery time; and
3. Provide general information on our intended response.

Our summary also discloses the existence of back-up facilities and arrangements. A copy of the Company's disclosure statement is included at the back of this Plan.

## **13. Updates and Annual Review**

The Company will update this plan whenever there is a material change to its operations, structure, business or location or to those of the clearing firm.

The Company's BCP will be reviewed and modified, if necessary, at least annually, but no later than within 12 months of the date on which this Plan was put into effect or previously reviewed, to take into account any changes in the Company's operations, structure, business, or location or those of our clearing firm.

## Customer Disclosure Statement

### MCA Securities

MCA Securities plans to quickly recover and resume business operations after a significant business disruption (SBD) and respond by safeguarding our employees and property, making a financial and operational assessment, protecting the firm's books and records, and allowing our customers to transact business. In short, our company's business continuity plan (BCP) is designed to permit us to resume operations as quickly as possible, given the scope and severity of the SBD.

The BCP addresses: data back up 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 impact; regulatory reporting; and assuring our customers prompt access to their funds and securities if we are unable to continue our business.

The issuer maintains all records related to your investments and account holdings and backs up important records in accordance with their business continuity plan. For more information on their contingency plan, please contact the issuer directly at the telephone number provided on your offering documents or through their website.

**Significant Business Disruptions:** The Company's plan takes into account two kinds Significant Business Disruptions, internal and external. Internal SBDs affect only the Company's ability to communicate and do business, such as a fire or loss of electrical power in the office or building.

External SBDs prevent the operation of the securities markets or a number of firms, such as a terrorist attack, a natural disaster, or another event that causes a wide-scale, regional disruption in essential services.

**Internal SBDs:** In the event of a disruption in the Company's business operations due to an internal SBD, the Company will attempt to continue to conduct business as usual by utilizing alternative communication methods (if available), such as the Internet, cell phones, etc., or by moving its operations to an alternative location.

If personnel or operations must be moved to an alternate location, the Company anticipates that it will resume regular operations within 4 hours.

**External SBDs:** In the event of a disruption in the Company's business operations due to an external SBD, the Company will attempt to continue to conduct business as usual by moving its operations to an alternative location outside the effected area, if possible, or by providing customers with alternative communication arrangements, as indicated below, to conduct business or to access their funds and securities.

The Company will attempt to resume business within 24 hours and to keep its customers informed regarding relevant events to the best of its ability based on the circumstances.

In all cases, the Company will resume normal business operations as soon as it is able to do so, based on the type and the extent of the disrupting event.

If the significant business disruption is so severe that it prevents us from remaining in business, we will assure our customer's prompt access to their funds and securities.

**Communications:** In the event you are unable to reach the Company at our main number, please proceed as follows:

1. Contact the Company at the following alternate telephone number: 404 798-7612
2. Contact the private placement issuer directly at the number listed on applicable offering documents.

**Contact information:** Any questions regarding the Company's Business Continuity Plans should be addressed to: Andrew Bernhardt, [andrew@mc-advisors.com](mailto:andrew@mc-advisors.com) and 404-550-2357.