

# Merit Financial Group, LLC Business Continuity Plan (“BCP”)

## I. Firm Policy

Merit Financial Group, LLC, dba Merit Financial Advisors, (“Merit”) is committed to safeguarding the interests of our clients and customers in the event of any emergency or Significant Business Disruption (“SBD”). This BCP summarizes Merit’s efforts to mitigate risks inherent with unforeseen business interruptions. The BCP is designed to protect our employees’ well-being, 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 even in the event of an emergency or SBD.

## II. Significant Business Disruptions (SBDs)

SBDs can range from small interruptions such as a power outage, worldwide health pandemic to major catastrophes such as terrorist attacks and natural disasters. These events may affect our firm’s ability to communicate with clients and essential service providers and prevent the operation of the securities markets.

## III. Business Description

Merit is an SEC Registered Investment Advisory firm involved in the financial management of client accounts. It is also associated with an unaffiliated Broker-Dealer, LPL Financial.

## IV. Office Locations

See Appendix A

## V. Disaster Recovery Office (DRO)

In the event of an SBD that only affects one of our offices, those operations will be handled by one of our other offices. In the event of an SBD that affects our Alpharetta office, employees have the ability to work remotely from their homes. If during normal business operations our phone systems are interrupted, we have the ability to use our mobile phones with Vonage application. Additionally, we may forward our phones to the Roswell office to take our calls.

## VI. Disaster Recovery Team for Corporate Merit Financial Advisors:

<u>Name</u>	<u>Title</u>	<u>Cell Phone Number</u>	<u>Email Address</u>
Jennifer Keegan	Vice President Operations	314-420-0835	<a href="mailto:jkeegan@meritfa.com">jkeegan@meritfa.com</a>
Chrissy Lee	Chief Operating Officer		<a href="mailto:clee@meritfa.com">clee@meritfa.com</a>
JP Pattinson	Vice President Technology	469-767-9005	<a href="mailto:jpattinson@meritfa.com">jpattinson@meritfa.com</a>
Melissa Griffith	Branch Operations Manager – Birmingham, AL	931-561-7038	<a href="mailto:mgriffith@meritfa.com">mgriffith@meritfa.com</a>
Stephen Frick	Branch Manager – Jacksonville, FL	415-680-0570	<a href="mailto:sfrick@meritfa.com">sfrick@meritfa.com</a>
Margarite Lynch	Regional Operations Director – Charlotte, NC	704-349-8265	<a href="mailto:mlynch@meritfa.com">mlynch@meritfa.com</a>
Karra DeBowes	Branch Operations Manager – Wilton, CT	732-687-9271	<a href="mailto:kdebowes@meritfa.com">kdebowes@meritfa.com</a>
Marci Hoyer	Regional Operations Director – Boca Raton, FL	561-740-1200	<a href="mailto:mhoyer@meritfa.com">mhoyer@meritfa.com</a>
Zach Kohlman	Human Resources Manager – Primary Disaster Recovery Member	404-314-8105	<a href="mailto:zkohlman@meritfa.com">zkohlman@meritfa.com</a>
Heather Peery	Regional Operations Administrator, Southlake TX	817-223-3909	<a href="mailto:hpeery@meritfa.com">hpeery@meritfa.com</a>
Margarite Lynch	Regional Operations Director, Charlotte, NC	704-349-8265	<a href="mailto:mlynch@meritfa.com">mlynch@meritfa.com</a>
Andy Lubben	Regional Director, Roswell GA	404-210-1131	<a href="mailto:alubben@meritfa.com">alubben@meritfa.com</a>
Danielle Bonilla	Regional Operations Director, Denver CO	303-870-1003	<a href="mailto:dbonilla@meritfa.com">dbonilla@meritfa.com</a>
Steven Henderson	Regional Director, Tulsa OK	918-521-3168	<a href="mailto:shenderson@meritfa.com">shenderson@meritfa.com</a>

Douglas Morris	Regional Director, Norman, Perry, OK	580-370-5280	<a href="mailto:dmorris@meritfa.com">dmorris@meritfa.com</a>
Zachary Mersberger	Regional Director, Sheboygan Falls WI	920-946-1870	<a href="mailto:zmersberger@meritfa.com">zmersberger@meritfa.com</a>
Cherise Glass	Regional Operations Director, Issaquah & Tacoma, WA	253-732-8124	<a href="mailto:cglass@meritfa.com">cglass@meritfa.com</a>

## **VII. Responsibilities**

Each Disaster Recovery Team Member is responsible for understanding his/her role during a SBD. In the event of a SBD in the Alpharetta, GA location, HR will notify the contacts mentioned above of the alternative plans for that location. In the event of a SBD at any other location, the Disaster Recovery Team Member for that region, shall notify Human Resources and the team members in that location.

The following individuals have the primary responsibility for implementation and monitoring of the BCP:

- Technology Department is responsible for documenting computer back-up procedures, (i.e., frequency, procedure, person(s) responsible, etc.).
- Technology Department is responsible for designating back-up storage location(s) and persons responsible to maintain backup data in separate locations.
- Human Resources Department is responsible for identifying, contacting, listing key or mission critical people in the event of an emergency or disaster, obtaining their names, addresses, e-mail, fax, cell phone and other information and distributing this information to all personnel.
- VP of Technology is responsible for designating and arranging recovery location(s) for mission critical persons to meet to continue business, and for obtaining or arranging for adequate systems equipment for these locations.
- VP of Technology is responsible for establishing back-up telephone/communication system for clients, personnel, and others to contact the firm and for the firm to contact clients.
- VP of Technology is responsible for determining and assessing back-up systems and/or recovery plans for key vendors and mission critical service providers.
- Compliance Team and branch office personnel is responsible for conducting periodic and actual testing and training for mission critical and all personnel.

## **VIII. When an SBD Occurs During Office Hours**

In the event of an emergency during office hours, call 911. The next appropriate course of action will depend on the nature of the emergency. Most types of emergencies will require all employees to quickly evacuate the building, including fire, bomb threats, etc. If so, gather your belongings, if time safely permits and promptly exit the building. All employees are to meet at the designated area indicated below, if safe to do so, following any evacuation of the office.

Alpharetta, GA branch office: Designated Meeting Area: Front of Building in Parking Lot – Southwest Corner of the parking lot closest to the street

Certain emergencies, however, may require that employees remain in-doors, including the release of a hazardous airborne substance in the immediate vicinity of the firm's principal office. Employees should, at all times, follow the instructions of emergency personnel.

## **IX. When an SBD Occurs After Office Hours**

In the event of a SBD occurring after business hours, each employee must be contacted, informed of the nature of the event, and given instructions regarding if, when and where to convene. Any employee initially discovering an emergency situation at the office must contact the Disaster Recovery Team Member assigned to that location to inform him/her of the situation. If, for any reason, the Team Member cannot be reached, the employee is to contact the Human Resources Director, member of the Disaster Recovery Team.

If, for instance, the disruption involves a power failure, an employee must first notify the Disaster Recovery Team Member assigned to that location. That person shall contact property management to obtain an estimate of when power will be restored to the office. Once a plan of action has been decided upon, the Disaster Recovery Team Member will contact all employees in the location along with our primary disaster recovery team member, to notify them of the appropriate course of action.

## **X. Disruption in Services of a Critical Third-Party Vendor**

In the event of a disruption in the services provided by a critical service provider, a Technology Department Team Member or a Disaster Recovery Team Member will contact the vendor to determine the nature of the problem and an estimate of the restoration of services. If the vendor cannot be reached and services cannot be restored, VP of Technology will determine an appropriate “work-around” solution. Merit will also reference the vendor’s own recovery plan on file to attempt to determine likely causes of the disruption and the vendor’s own estimate of the restoration of services therefrom. If continued efforts to contact the vendor and/or to restore services are unsuccessful, Merit also saves all relevant files to our virtual server that is accessible by the DRO. Business will continue to run using personal cell phones/telephones, cloud technology, and internet services available at the DRO and/or associates’ availability to work from home.

## **XI. Customers’ Access to Funds & Securities**

Our firm does not maintain custody of clients’ funds or securities. LPL Financial, Fidelity, Schwab and TD Ameritrade are the custodians of our clients’ funds or positions. In the event of an internal or external SBD, if telephone service is available, our employees will take customer orders or instructions and contact our custodian on their behalf.

## **XII. Data Back-Up & Recovery (Hard Copy & Electronic)**

Our firm maintains some paper copies of books and records in our Alpharetta office, where it is securely locked and protected.

In addition, most books and records are scanned and uploaded onto our virtual server or with an appropriate vendor for electronic archiving (i.e. iDoc for LPL account records, SharePoint for other custodians & Global Relay for email). All data is backed-up daily. This process is fully automated and is completed via a secure Internet connection.

In the event of an internal or external SBD that causes loss of our paper records, we will recover them from our virtual server. For the loss of electronic records, for instance, a record is mistakenly deleted, we will contact Visory’s support center to recover the lost data.

Email communication recovery is also available on our virtual server or through our vendor, Global Relay’s website and can be remotely accessed via laptop, home computers or cell phones.

## **XIII. Financial & Operational Assessments**

In the event of a SBD, we will immediately identify what means will permit us to communicate with our customers, employees, critical business constituents, and regulators. Although the effects of a SBD will determine the means of alternative communication, the communications options we will employ will include our website, personal mobile phones, and secure email. In addition, we will retrieve our key activity records as described in the section above, *Data Back-Up & Recovery (Hard Copy & Electronic)*.

In the event that Merit is put in a position to raise funds due to a credit issue, the firm will apply for a loan or credit line through one of the banking institutions it currently uses.

## **XIV. 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. These mission critical systems are available at our DRO.

## **XV. Internet Connection**

Our Internet provider for a majority of our branch office locations is NTEGRATED. In the event our internet is unavailable in one of our offices, one of our other offices will handle the business processing. In the event our internet is unavailable in all offices, our DRO has an internet connection that will enable us to access our Broker-Dealer/Custodian’s (LPL Financial, Schwab,

Fidelity and TD Ameritrade) online systems as well as the website of our regulators and service providers. As always, employees have the ability to work at home with secure internet connection.

**XVI. Telephone System**

In the event that our local telephone service is disrupted in one of our offices, all calls will be forwarded to one of our other offices. In the event that our local telephone service is disrupted in all of our offices, employees are encouraged to use their personal cellular phones to conduct business until service is restored. Each branch manager or Regional Director is to designate a specific person in their office, who is responsible for transferring the phone system to the appropriate branch office or to a team member's cell phone. Merit has a telephone system in place at the DRO office that our trading office phones can be transferred to in the event of a SBD that affects all offices. The protocol for forwarding the phones to other offices is to call Vonage, the phone carrier for VoIP, and provide instructions on where to forward the line(s).

**XVII. Loss of Key Personnel**

If any key personnel are terminated, incapacitated, or fail to be competent in performing his/her duties, an emergency meeting will be held by the remaining principals to evaluate the situation and conclude on the best course of action. Shall the key personnel's clients be reassigned to another adviser representative; the client shall be notified in writing of the change along with any required disclosure documents. The remaining principals will also notify all proper regulators and vendors.

Merit Financial Group, LLC along with other key members, have buy/sell arrangements in place. The detailed arrangements are available through the COO.

**XVIII. Refunding Fees Paid in Advance**

In the event that Merit is unable to conduct business, clients will be given a pro-rata refund of unearned advisory fees from the day business was unable to be conducted to the end of the quarter.

**XVIII. Disclosure of Business Continuity Plan**

We provide in writing this BCP disclosure statement to clients upon their request.

**XIX. Updates, Testing & Annual Review**

Each employee will receive a copy of Merit's BCP, located on our intranet, Merit Insider. Additionally, copies are available on our virtual server and our Merit Employee Compliance (Alpha) system. Our firm will update this plan whenever we have a material change to our operations, structure, business, or location, or to those of our custodian. In addition, our firm will test and review the BCP annually. I have approved the Business Continuity Plan as reasonably designed to enable our firm to meet its obligations to customers in the event of an SBD.

Signed: 

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

Updated  
December 2022

## APPENDIX A

### OFFICE LOCATIONS

2400 Lakeview Parkway, Suite 550, Alpharetta, GA 30009  
750 Hammond Drive, Building 2, Suite 200 Atlanta, GA 30328  
3595 Grandview Parkway, Suite 425, Birmingham, AL 35243  
130 Harbour Place Drive, Suite 250, Davidson, NC 28036  
2801 Network, Boulevard, Suite 503, Frisco, TX 75034  
8826 Goodby's Executive Drive, Suite B, Jacksonville, FL 32217  
2625 E. Southlake Blvd. Suite 100, Southlake, TX 76092  
2828 Hood Street, Suite 506, Dallas, TX 75219  
15 River Road, Suite 15B Wilton, CT 06897  
12850 Oak Knoll Drive, Palm Beach Gardens, FL 33418  
4235 S. Stream Blvd., Suite 100, Charlotte, NC 28217  
3100 Smoketree Court Suite 1002, Raleigh, NC 27604  
8198 Jog Road, Suite 205, Boynton Beach, FL 33472  
115 Pine Bluff Drive, Morehead City, NC 28557 (Home office)  
2345 SW Strawberry Terrance, Palm City, FL (Home office)  
1025 Old Roswell Road, Suite 104, Roswell, GA 30076  
2799 NW 2<sup>nd</sup> Avenue, Suite 101, Boca Raton, FL 33431  
33 Witherspoon Street, Suite 210, Princeton, NJ 08542  
1999 Roadway, Suite 1415, Denver, CO 80202  
6140 South 104 East Avenue, Suite 100, Tulsa, OK 74133  
131 East Main Street, Suite 201, Norman, OK 73069  
601 Delaware – PO Box 266, Perry, OK 73077  
901 W. Maple, Enid, OK 73701 (by appointment only)  
8490 E. Crescent Parkway, Suite 110, Greenwood Village, CO 80111  
4565 Hilton Parkway, Suite 101, Colorado Springs, CO 80907  
302 Elk Highlands, Whitefish MT 59937  
4321 W. College Ave., Suite 200, Appleton, WI 54914  
615 South 8<sup>th</sup> Street, Ste 240, Sheboygan, WI 53814  
517 Monroe Street, Sheboygan Falls, WI 53085  
2551 Lafayette Plaza Drive, Albany, GA 31707  
100B Danbury Road, Suite 203B, Ridgefield, CT 06877  
195 NE Gilman Blvd, Suite 101, Issaquah WA 98027  
1919 N Pearl Street, B-2, Tacoma, WA 98406  
1090 Elm Street, Suite 102, Rocky Hill, CT 060067  
1790 Atkinson Rd, Suite C, Lawrenceville, GA 30043

The following offices operate under their own BCP and Merit Compliance reviews their BCP at least annually:

BluHawk Wealth Management, 130 Harbour Place Drive, Suite 250, Davidson, NC 28036  
IM Financial, 4582 S. Ulster Street, Suite 950, Denver, CO 80237  
Merit Wealth Advisors, 1060 Maitland Center Commons, Suite 365, Maitland, FL 32751  
Merit Wealth Advisors, 1303 Limit Avenue, Suite 200, Mount Dora, FL 32757  
Merit Wealth Advisors, 2151 Consulate Drive, Suite 15-2, Orlando, FL 32837  
Reason Financial, 4747 Morena Blvd. Suite 120, Suite 102 San Diego, CA 92117  
Simplified Financial, 2614 N. Highway 16, Denver, NC 28037

**APPENDIX B  
CRITICAL VENDOR CONTACT SHEET**

**Operational Contacts:**

1. **Phone Company:**  
**Vonage**  
Phone#: 866-616-6414
2. **Internet Companies:**  
**NTEGRATED**  
Phone#: 214-432-3600

**Data Back-up & Recovery**

1. **Visory (Managed Service Provider)**  
15 Business Center Drive  
Swansey, NH 03446  
[help@truenorthnetworks.com](mailto:help@truenorthnetworks.com)  
(603) 624-6777

**Insurance Carriers**

1. **Starkweather & Shepley Insurance Insurance:**  
Agent: Janna Egnitz  
Phone#: 781-801-1573  
Contact Personnel: Janna Egnitz  
Email: [jegnitz@starship.com](mailto:jegnitz@starship.com)

**Mission Critical Systems**

1. **LPL Financial:**  
Address: 1055 LPL Way, Fort Mill, SC 29715  
Phone#: 1-800-877-7210
2. **Fidelity Institutional Wealth Services**  
Phone#: 800-523-1203  
Client #60555
3. **Charles Schwab**  
Phone#: 877-460-4476
4. **TD Ameritrade**  
Phone#: 866-466-2630

**Regulators and Compliance**

1. **Securities and Exchange Commission:**  
Address: 100 F Street NE, Washington, DC 20549  
Phone: 202-942-0644  
Alt. Phone: 1-800-732-0330  
Fax: 202-551-8090  
Notes: Firm SEC #801-67462 [CRD #: 142457]
2. **FINRA:**  
Address: 1100 Poydras Street, Suite 850, Energy Centre, New Orleans, LA 70163  
Phone#: 240-386-4848  
Fax#: 504-522-6527

Website: [www.finra.org/index.htm](http://www.finra.org/index.htm)

**Payroll & Benefits Providers:**

- 1. MFG Employment Services, Human Resources**  
Phone#678-867-7050  
Contact: Zach Kohlman - [zkohlman@meritfa.com](mailto:zkohlman@meritfa.com)
  
- 2. BlueStar Retirement Services (401k)**  
Phone#: 800-878-5220  
Contact: [service@bluestarretirement.com](mailto:service@bluestarretirement.com)