

**Business Continuity/Disaster Recovery and Contingency Plan
of
Finomenon Investments LLC]**

Dated: 08/14/2024

I. Purpose and Policy

FI ("FI" or "Advisor") has devised a Business Contingency Plan ("BCP") in order to effectively address and state the specific steps which we shall use and employ in order to recover from any disaster or emergency.

The purpose of this BCP is to define the strategies and plans that will be used by FI during a significant business disruption ("SBD"). An SBD includes any event or situation that significantly impacts the Advisor's ability to provide advisory services to its clients. The BCP outlines the Advisor's procedures designed to ensure that critical business functions can continue during and after an SBD and that the Advisor can resume operations as quickly as possible after an SBD. The BCP is prepared to address both internal SBDs, such as a fire in the Advisor's building or the death of key personnel, and external SBDs, such as a natural disaster, terrorist attack, or citywide power disruption. It is also designed to address SBDs of different severities.

The objective of this BCP is to resolve the following topics in the event of a SBD:

- The protection, backup, and recovery of books and records;
- Alternate means of communications with clients, key personnel, employees, vendors, service providers, and regulators;
- Office relocation in the event of temporary or permanent loss of a principal place of business;
- Assignment of duties to qualified responsible persons in the event of the death or unavailability of key personnel; and
- Otherwise minimizing service disruptions and client harm that could result from a sudden significant business interruption.

Although FI does not maintain custody of client assets, in the event of an SBD, the Advisor will assist clients to access their assets at the brokers that have custody of the assets. In the case of an external SBD, the Advisor's ability to react will depend heavily on access to other organizations and systems, such as the availability of electricity, telephones, internet, and transportation.

In creating this BCP, the Advisor has assumed that the firm's designated alternate office will be available and that government agencies and market systems are operational during and after the SBD. If any of these assumptions are incorrect, the Advisor's business could be disrupted until matters are resolved. No contingency plan can eliminate all risk of service interruption, but the Advisor will continue to assess and update its plans to mitigate all reasonable risks.

II. Review, Location, and Disbursement

A. Review of the Plan

The BCP will be reviewed annually to determine whether any modifications are necessary in light of changes to Advisor's operations, structure, business or location or new regulatory requirements. A copy of any amendments will be provided to all parties responsible for its execution.

Shabrish Menon CCO is responsible for approving the plan and for conducting annual reviews.

Shabrish Menon CCO will also test the BCP throughout the year. This may include testing of areas such as: ensuring backups of books and records are functioning; working at the alternate business location; collecting current contact information for employees, clients and business partners; conducting due-diligence of critical vendors; and conforming the firm's business practices to the BCP and regulatory requirements.

B. Plan Location and Access

Advisor will maintain copies of its BCP and any revisions made to the plan. The CCO shall provide access to the BCP where employees can access it with or without internet access.

C. Disbursement of Plan

Any employees critical to the daily functions of the business or who communicate with advisory clients will receive a copy of this BCP upon beginning their employment and sign an attestation of receipt. When the BCP is updated, all applicable employees will review the revised plan and sign a new attestation. The Advisor will periodically train all its employees on the BCP's requirements, if applicable. All versions of the BCP and attestation shall be maintained for the required time period.

III. Insurance

Our first line of defense is the full complement of insurance that we carry. This has been tailored to protect us from a loss of financial resources in the event of a disaster. FI carries errors and omissions to protect against financial loss due to client claims and data breaches.

IV. Alternative Office Location

Our principal place of business is located at: 10816 Slater Ave NE, our "Main Office". If for any reason, our Main Office could not be accessed, FI has plans in place in order to ensure we can continue to service clients at an alternative location.

Currently, our alternative location is at 400 Bellevue Way NE, Bellevue, WA 98004. The alternative office location have been tested to assess if personnel are able to access company and client records at their alternate location(s) and are able to communicate with clients either on a short term or long term basis. Should the Alternative Office location change from temporary to permanent, Advisor will

ensure any amendments to its regulatory disclosures including a change of address or the registration of a Branch Office, if required, is filed.

V. Alternative Communication Plans

A. Advisory Clients

Advisor now communicates with clients using telephone, email, U.S. mail, video conference, and in-person visits. In the event of an SBD, Advisor will assess which means of communication are still available and use the means closest in speed and form (written or oral) to the means that Advisor used in the past to communicate with the other party. For example, if Advisor has primarily communicated with a party by email, but the Internet is unavailable, Advisor will call the client on the telephone and follow up, where a record is needed, with a paper copy in the U.S. mail.

In the case of an expected SBD, such as a forecasted storm, Advisor will consider proactively contacting clients (for instance, by email blast) to inform them of what can be expected in case of an extended outage. For example, if clients cannot reach the Advisor, Advisor might instruct them on how they can contact their custodian directly.

In the case of an actual SBD, Advisor will notify clients through any of the means mentioned above, should the SBD affect clients. Moreover, if possible, Advisor will also amend their website to notify clients of a SBD and what actions the clients should take.

B. Employees

Currently, the Advisor does not have any employees. In the event employees are hired in the future, this section will be updated accordingly.

Advisor shall maintain at least two (2) forms of contact information for all employees. Should Advisor or CCO not be able to reach an employee through one method, the other method will be used.

C. Regulators

Advisor is currently registered as an investment advisory firm with the Securities and Exchange Commission/state of [STATE]. Advisor communicates with its regulators using telephone, email, or U.S. mail. In the event of an SBD, Advisor will assess which means of communication are still available, and use the means closest in speed and form (written or oral) to the means that Advisor has used in the past to communicate with the other party, including to make any necessary filings, disclosures, etc.

Currently, Shabrish Menonis responsible for ensuring that the Advisor has access to the Investment Adviser Registration Depository (IARD) system, the electronic filing system that facilitates investment advisor registration, and that all appropriate Form ADV filings, including annual and interim amendments, are made and maintained. In the case of a SBD, Advisor will

notify regulators through any of the means mentioned above, if the SBD affects Advisor's responsibility to make required filings.

In the event of a formal or informal inquiry made by any federal or state regulatory agency during an SBD, Shabrish Menon will be responsible for receiving all calls and/or all other requests for further review.

FI will contact the applicable regulatory division listed in the Critical Contact List (attached below) in the event it cannot continue to operate or is not able to execute this Business Continuity Plan.

D. Custodians

The Charles Schwab Corporation ("[CUSTODIAN Charles Schwab]") currently holds the funds and/or securities of Advisor's clients. Advisor currently communicates with this institution using uploads, telephone, email, and U.S. mail. In the event of an SBD, Advisor will assess which means of communication are still available and use the means closest in speed and form (written or oral) to the means that Advisor has used in the past to communicate with the custodian.

VI. Data Back-Up and Recovery

A. Books and Records Maintenance

Advisor maintains its primary books and records in electronic storage. All hard copy records must be scanned in electronic form. Any permanent hard copy records will be held at the principal place of business. Shabrish Menon is responsible for the maintenance of these books and records. Access to records are only provided to personnel on an as-needed basis in order to perform their work functions. Please refer to Advisor's Data Security Manual that supplements this BCP.

B. Back-Up

All files required to be maintained under the appropriate federal and state regulations are backed up on a [insert frequency (e.g., daily)] basis through [insert backup method (e.g., OneDrive, Google Workspace, iCloud)]. These records are redundant electronic documents, accessible to the Advisor from any secure internet connection.

C. Reliance on Third-Party Vendors

FI has certain third-party vendors that are critical to the operations of the firm. Such critical vendors are listed in the Critical Contact List. For each critical third-party vendor, FI will assess their ability to provide continued service. Alternatively, FI will ensure they have a second option in the event the firm were to switch vendors due to the vendor being unable to operate. Generally, FI does not utilize any third-party vendors that are so unique that they could not be replaced with a competitor.

We use and may rely on third party vendors for the maintenance of some of our books and records. We ensure that such vendors maintain our records for the required retention period of 5 or more years and that access to these records can be easily retrieved if we terminate our relationship with them.

VII. Client Access to Funds and Securities

Advisor does not hold client funds or securities. Client funds and securities are held with Charles Schwab Corporation. Clients may contact Charles Schwab Corporation through its website or by telephone. Charles Schwab Corporation can instruct clients how to gain prompt access to their funds and securities, including placing buy or sell orders, issuing checks and wires from their accounts, or transferring funds via pre-established electronic transfer capabilities to client accounts at other institutions.

In the event of an SBD, Advisor will continue to handle client assets as it did before the SBD to the extent possible based on the availability of Charles Schwab Corporation's platform. Charles Schwab Corporation's platform should allow Advisor to continue managing client accounts in the event of an SBD.

VIII. Financial and Operational Assessment

FI will perform a financial assessment in determining the appropriate funds required in order to mitigate financial risks to the firm. Factors taken into consideration include obligations to pay providers and/or vendors, meeting the firm's net worth obligations, if applicable, and refunding clients during periods of a SBD or closure.

In the event of an SBD impacting our financial position, 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. If we determine that we may be unable to meet our financial obligations 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 clients. If we cannot remedy a capital deficiency, we will file appropriate notices with our regulators and amend our regulatory disclosures as required.

IX. Loss of Key Personnel

FI is a single member Limited Liability Company owned by Shabrish Menon. As the sole owner, the business depends fully on his/her/their capabilities. In the case of Shabrish Menon's disability, steps will be taken to determine if the business will continue and in what capacity. In the case of Shabrish's death or incapacity, there is a plan in place of the selling of the business.

FI has designated the following individual(s) to assist with the below steps:

Responsible Party/Parties: Divya Telang

While not a complete list, the following steps must be completed (not necessarily in this order).

Access

Shabrish Menon has trained the Responsible Party on how they can gain access to Client contact information in order to notify clients.

Critical Contacts

The Responsible Party is instructed to cancel all business vendors, subscriptions and other business services where critical business information does not need to be maintained for regulatory reasons. A current, full list of paid service providers is in the Critical Contact List.

Inform Clients

The Responsible Party is instructed to inform all clients of the transfer of the business.

Refund Payments

The Responsible Party is trained on how to issue refunds to any clients in which the Advisor has collected advance payments but have not yet been earned.

Transitioning Investment Management Clients

The Responsible Party is instructed to contact the Advisor's custodian(s) to notify them of the SBD and disconnect access to client accounts via LPOA, if applicable.

Assignment of Contracts

Advisory Contracts cannot be assigned without prior written Client consent. The Responsible Party will not provide advice or be compensated until the firm is properly registered or notice-filed in all required states and not prior to receiving consent from the client through a newly executed Advisory Contract.

Business Funds

The Responsible Party is trained on when the Responsible Party can settle/close business accounts, if the Responsible party should contact a specific accountant, or cancel any subscriptions.

Regulatory Wind Down

The Responsible Party is instructed to contact the Compliance Team at XY Planning Network to file any necessary regulatory filings such as Form ADV-W and/or Form U-5.

Books and Records

The Responsible Party is instructed to download the required Books and Records and maintain for a period of five years.

Business Continuity Plan Attestation

I have been given access to, and read FI's Business Continuity Plan.

Signed: *Divya R Telang* Date: 04/14/2024

Printed Name: Divya R Telang

Exhibit A: Critical Contact List

| <u>Individual/ Entity</u> | <u>Category</u> | <u>Name</u> | <u>Contact Information</u> | <u>Notes:</u> |
|--------------------------------------|--|--------------------|--|----------------------|
| Shabrish Menon | Owner/CCO | | 425.625.9832 | |
| Divya Telang | Responsible Party for BCP | | divstelang@gmail.com 425.625.9833 | |
| XY Planning Network | Compliance, Email & Advertising Archiving | | compliance@xyplanningnetwork.com ; archive@xyplanningnetwork.com | |
| Starkweather & Shepley Insurance | E&O Insurance | | XYPN@starshep.com | |
| Washington | Regulator | Alicia Burton | alicia.burton@dfi.wa.gov | Securities Examiner |
| Charles Schwab | Custodian | | | |
| Wealthbox | CRM | | support@wealthbox.com | |
| | | | | |

Exhibit B: List of Vital Records

Note: All records must be maintained for a period of 5 years from the date of last entry.

| Records Type | Location |
|--|-----------------|
| Client Files: Client Agreements, Custodial Paperwork, Client Forms, etc. | |
| Client Notes | |
| Financial Statements and Bills | |
| Bank Statements | |
| Client Correspondence | |
| Advertisements | |
| Performance Statements | |
| Personal Securities Transactions | |
| Disclosure Brochures, Policies & Procedures | |
| Third Party Service Agreements | |
| Trade Blotter | |