



AEGIS CAPITAL CORP.

**BUSINESS CONTINUITY PLAN (“BCP”)**

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**Our firm’s emergency contact persons are:**

- **George Kott** (COO) office phone – 212-813-1010, email – [gekott@aegiscap.com](mailto:gekott@aegiscap.com)
- **Eric Newman** (CSO) office phone – 212-813-1010, email – [enewman@aegiscap.com](mailto:enewman@aegiscap.com)

Aegis Capital Corp. “Aegis” or the “Firm” will provide FINRA with the contact information for the two emergency contact persons: (1) name; (2) title; (3) mailing address; (4) email address; (5) telephone number; and (6) facsimile number through the FINRA Contact System (FCS). The Chief Compliance Officer (CCO) will promptly notify FINRA of any change in this information through FCS (but no later than 30 days following the change), will review, and if necessary, update, this information within 17 business days after the end of each calendar year. Rule: FINRA Rule 4370(f)

**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. If 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 one of our buildings. External SBDs prevent the operation of the securities markets or several 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 firms.**

**B. Approval and Execution Authority**

The CCO, is responsible for approving the plan and conducting the required annual review. The Chief Operations Officer (COO) has the authority to execute the BCP.

**C. Plan Location and Access. Aegis will maintain copies of its BCP, the annual reviews, and the changes that have been made to it for inspection. An electronic copy of our plan is located on the Firm’s website and main mail server in the home office listed as BCP and a hard copy in the main office. Rule: FINRA Rule 4370(b), (d) and (e).**

**III. Business Description**

Our Firm conducts business in retail sales, institutional sales, investment banking, fee-based business, fixed income, and derivative securities. Our Firm is an introducing Broker Dealer and Registered Investment Advisor 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. Retail customer transactions are primarily routed to our clearing firms, who execute these orders, compares them, allocates them, clears and settles them. Our clearing firms also maintain our customers' accounts, can grant customers access to them, and deliver funds and securities. Aegis services retail and institutional customers and makes markets. Our Market Making Department and Institutional Agency Sales Desk are located in our Home Office located at 1345 Ave of the Americas 27<sup>th</sup> Fl New York, NY 10105.

**Our clearing firms are:** RBC Clearing and Custody (“RBC”), a division of RBC Capital Markets LLC, and AXOS Clearing LLC (“AXOS”). During a significant business disruption, if our clients are unable to reach us either by telephone or internet and require access to their account, they are advised to contact our clearing firms RBC or AXOS, for access to their funds and securities. Clients are advised to refer to their Account Statements for contact information.

RBC Clearing & Custody  
 250 Nicollet Mall, Ste 17000  
 Minneapolis, MN 555401  
 612-371-7830

Axos Clearing LLC  
 1200 Landmark Center  
 Suite 800  
 Omaha, NE 68102  
 866-774-0218

#### IV. Office Locations

Aegis currently has 23 office locations. Our employees may travel to these offices by means of foot, car, subway, train, bus, boat, plane, etc. Below is a list of branches with the contact information for each of the office locations;

Address				Contact Name	Number
HOME OFFICE 1345 6 <sup>th</sup> Ave, 27 <sup>th</sup> Fl	New York	NY	10105	Jacob Rosenberg	212-813-1010
1305 Walt Whitman Rd, Ste 120	Melville	NY	11747	Ian Redock	516-512-6116
550 Kinderkamack Rd, Ste 204	Oradell	NJ	07649	Brendan Bogart	201-261-6683
3902 Henderson Blvd, Ste 208	Tampa	FL	33629	Scott Powell	813-549-0107
26 Paxton Ave	Bronxville	NY	10708	Richard Palmadesso	914-361-1099
156 Kings Highway North, 1 <sup>st</sup> Fl	Westport	CT	06880	Joshua Feldman	203-293-1670

1395 Brickell Ave, Ste 630	Miami	FL	33131	Alain Ohayon	305-456-2044
5420 LBJ Freeway, Ste 573	Dallas	TX	75240	Robert Borotta	800-719-7977
3205 Fire Rd, Ste B	Egg Harbor	NJ	08234	Michael Jennetta	609-272-1065
2000 Ponce De Leon, Ste 516-B	Coral Gables	FL	33134	Arturo Diaz	305-347-8700
3400 S Tamiami Trail, Ste 302	Sarasota	FL	34239	Andrew Peters	941-822-0401
1000 SW Broadway, Ste 1220	Portland	OR	97205	Eric Davidson	503-912-5800
Union Square, 514 Route 35 South	Red Bank	NJ	07701	Joseph Carrara	732-936-0063
365 W Passaic St, Ste 275	Rochelle Park	NJ	07662	Kayvan Karoon	201-845-7200
300 Old Country Rd, Ste 301	Mineola	NY	11501	Edward Haggerty	212-994-8900
201 W Padonia Rd, Ste 300	Timonium	MD	21093	Kirby Ososki	443-519-5481
8000 Maryland Ave, Ste 1031	Clayton	MO	63105	Alvery Bartlett	314-725-2000
320 Seven Springs Way, Ste 320	Brentwood	TN	37027	Jessica Jung	615-953-7300
1650 S Dixie Hwy, Ste 200A	Boca Raton	FL	33432	Adam Lorraine	754-444-6176
600 Silver Lane	Boca Raton	FL	33432	James Kaufman	561-988-3406
2255 Glades Rd, Ste 319 & 324A	Boca Raton	FL	33431	Matthew Gaer	561-988-8497
2517 State Hwy 35 Bldg C, Ste 201	Manasquan	NJ	08736	Brenna Messana	800-920-2502
425 Huehl Road Ste 16B	Northbrook	IL	60062	Marc Jacobson	847-498-7181

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

In the event of an SBD, we will move our staff from affected offices to the closest office space available as we do not have a “back-up” facility. Rule: FINRA Rule 4370(c)(6).

## 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, RBC and AXOS. 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 firms on their behalf. If internet access is available, the Firm will post on the website notification to customers on how they may access their funds and securities. Customers may also contact RBC at 800-949-0242 and AXOS at 800-811-3487. The firm will make this information available to customers through its disclosure policy. 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. Rule: FINRA Rule 4370(a); Securities Exchange Act Rule 15c3-1; see also 15 U.S.C. § 78eee.

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

Aegis maintains its primary hard copy books and records in its office locations and certain electronic records with its clearing firms. Kevin Meade, Chief Compliance Officer 212 813-1010, George Kott, Chief Operating Officer 212 813-1010, and Eric Newman, Chief Supervisory Officer 212 813-1010, are responsible for the maintenance of these books and records. The Firm maintains the following document types and forms that are not transmitted to our clearing firms: payroll and records relating to the firm's internal accounting. The Firm maintains its back-up hard copy and electronic books and records in its Home Office. The Firm, on an ongoing basis, backs up its paper files by copying and storing them off-site. The Firm's IT Department backs up its electronic records regularly and keeps a copy at the corporate headquarters. In the event of an internal or external SBD that causes the loss of our paper records, we will physically recover them from our back-up site. If our primary site is inoperable, we will continue operations from our back-up site or an alternate location. In the event of the loss of electronic records we will physically recover the storage media or electronically recover data from our back-up site. If our primary site is inoperable, the Firm will continue operations from our back-up site or an alternate location. Rule: FINRA Rule 4370(c)(1).

## **VIII. Financial and Operational Assessments**

**A. Operational Risk.** In the event of an SBD, we will identify a means that 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 to be employed will include telephone communications and e-mail transmittals. In addition, we will retrieve our key activity records as described in the section above, Data Back-Up and Recovery hard copy and electronic. Rule: FINRA Rule 4370(c)(3), (c)(4), (c)(5), (c)(7), (c) (9 & (g)(2)).

**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 firms, critical banks, regulators and investors to apprise them of our financial status. If we determine that we may be unable to meet our obligations to those counterparties or otherwise continue to fund our operations, we will request additional financing from our bank or other credit sources to fulfill our obligations to clients and customers. If we cannot remedy a capital deficiency, we will file appropriate notices with our regulators and SIPC and immediately take appropriate steps and any measures required by our regulators. Rule: FINRA Rule 4370(c)(3), (c)(8) & (g)(2).

## **IX. Mission Critical Systems**

The 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 RBC and AXOS order entry and client account access systems. 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 routing those orders for execution. 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's contract provides that they will maintain a business continuity plan and the capacity to execute that plan. Our clearing firms represents that they will advise us of any material changes to its plan that might affect our ability to maintain our business. In the event our clearing firms execute their plan, they represent that they will notify us of such execution and provide 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 represents that they will assist us in seeking services from an alternative source. Our clearing firms represent that they back up their records at a remote site. Our clearing firms represent that they operate back-up operating facilities in a geographically separate area with the capability to conduct the same volume of business as its primary site. Our clearing firms have also confirmed the effectiveness of their back-up arrangements to recover from a wide scale disruption by testing. Recovery-time objectives provide concrete goals for implementation. They are not, however, hard and fast deadlines that must be met in every emergency situation, and 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 have the following SBD recovery time and resumption objectives: recovery time period of 3 hours; and resumption time within the same business day. George Kott will periodically review our clearing firm's capabilities to perform the mission critical functions the clearing firms has contracted to perform for the Firm.

## **A. Our Firm's Mission Critical Systems**

**1. Order Taking.** Currently, Aegis receives orders from customers via telephone and in person meetings with the customer. During a SBD, either internal or external, we will continue to take orders through any of these methods that are available and reliable. In addition, as communications permit, we will inform our customers of alternative options they have to send their orders to us. If necessary, we will advise our customers to place liquidating orders only directly with our clearing firms RBC at 800-949-0242 and AXOS Clearing at 800-811-3487.

**2. Order Entry.** Currently, Firm employees enters orders by sending them to our clearing firms electronically or by telephone. In the event of an internal SBD, we will enter and send orders to our clearing firms by the fastest alternative means available, which include email and overnight delivery. In the event of an external SBD, we will maintain orders in electronic or paper format, and deliver the order to the clearing firms by the fastest means available when it resumes operations. In addition, during an internal SBD, we may need to refer our customers to deal directly with our clearing firms for order entry.

**3. Order Execution.** In the event of an internal SBD, we would execute all customer orders in an agency capacity utilizing our clearing firms' order management systems. In the event of an

external SBD, we would access our clearing firms' order management systems through the internet.

**4. Other Services Currently Provided to Customers.** At this time Aegis provides no other services to its retail customers. Should this change, the appropriate changes to Aegis' BCP will be made.

**B. Mission Critical Systems Provided by Our Clearing Firm.** Aegis 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. Rule: FINRA Rule 3510(c)(2) & (g)(1).

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

**A. Customers.** We now communicate with our customers using the telephone, e-mail, fax, mail, and in person visits. 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 e-mail but the Internet is unavailable, we will contact them via telephone and follow up in writing where a written record is needed and will provide a mailed or faxed copy to the customer if necessary. Rule: FINRA Rule 4370(c)(4).

**B. Employees.** We now communicate with our employees using the telephone, e-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. We will also employ a call tree so that senior management can reach all employees quickly during an SBD. The call tree includes all available staff home, cell and office phone numbers. We have identified persons, noted below, who live near each other and may reach each other in person: The persons to invoke use of the call tree are Robert Eide and George Kott. As noted above in section IV, each location maintains one primary contact person. In the event of a SBD at any one of the locations, the contact person will reach out to each of the employees that work at the location and notify them of the appropriate procedures. Rule: FINRA Rule 4370(c)(5).

**C. Regulators.** We are currently members of the following SROs: FINRA and MSRB. 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. Rule: FINRA Rule 4370(c)(9).

## **XI. Critical Business Constituents, Banks, and Counterparties**

**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 an internal or external SBD. We will establish

alternative arrangements if a business constituent can no longer provide the necessary goods or services because of an SBD to them or our Firm. Our primary business constituents are RBC 800-949-0242 and AXOS 800 811-3487. Rule: FINRA Rule 4370(c)(7).

**B. Banks.** We have contacted our banks and lenders to determine if they can continue to provide the financing that we will need in the event of an internal or external SBD. The bank maintaining our operating account is Signature Bank located at 950 Third Avenue New York, NY 10022 contact is John Gonzalez 646 822 1502. The clearing firms maintaining our Proprietary Account of Introducing Brokers/Dealers (PAIB account) are RBC and AXOS Clearing. If our banks and other lenders are unable to provide financing, we will seek alternative financing from certain officers of Aegis Capital Corp. Rule: FINRA Rule 4370(c)(7).

**C. Counterparties.** We will contact critical counterparties, such as other broker-dealers or institutional customers to determine if we will be able to transact with them in light of an internal or external SBD. If transactions cannot be completed, we will work with our clearing firms or contact those counterparties directly to make alternative arrangements to complete transactions as soon as possible. Rule: FINRA Rule 4370(c)(7).

## **XII. Regulatory Reporting**

Our firm is subject to regulation by: Security Exchange Commission (SEC), Financial Industry Regulatory Authority (FINRA), Municipal Securities Rulemaking Board (MSRB) and state securities regulators. Currently we file reports with our regulators using regular mail, fax, e-mail, and electronically via internet upload. In the event of an SBD, we will check with the SEC, FINRA, MSRB 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. If we cannot contact our regulators, we will continue to file required reports using the communication means available to us. Rule: FINRA Rule 4370(c)(8).

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

We provide in writing a BCP disclosure statement to customers at account opening. We also post the disclosure statement on our website [www.aegiscapcorp.com](http://www.aegiscapcorp.com). The BCP will be mailed to customers upon request. Rule: FINRA Rule 4370(e).

## **XIV. Updates and Annual Review**

Aegis will update this plan whenever we have a material change to our operations, structure, business or location or to those of our clearing firms. In addition, the Firm will review this BCP annually and modify as needed if there are changes in our operations, structure, business, or location or those of our clearing firms. Rule: FINRA Rule 4370(b).

## **Contacting Us**

If after a significant business disruption, you cannot contact us as you usually do at 212-813-1010, you should call our alternative number 800-920-2502 or go to our website [www.aegiscapcorp.com](http://www.aegiscapcorp.com).

If you cannot access us through either of those means, you should contact our clearing firms, RBC at 800-949-0242 and AXOS Clearing 800-811-3487 for instructions on how they may provide prompt access to funds and securities, execute orders and process other trade-related, cash and security transfer transactions for our customers.

## **Our Business Continuity Plan**

We plan 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 business continuity plan is designed to permit the Firm to resume operations as quickly as possible, given the scope and severity of the significant business disruption. 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 impact; regulatory reporting; and assuring our customers prompt access to their funds and securities if we are unable to continue our business. Our clearing firms, RBC and AXOS, back up our important records in a geographically separate area. While every emergency poses unique problems based on external factors, such as time of day and the severity of the disruption, we have been advised by our clearing firms that their objective is to restore its own operations and be able to complete existing transactions and accept new transactions and payments within the same business day. Client orders and requests for funds and securities could be delayed during this period.

## **Varying Disruptions**

Significant business disruptions can vary in their scope, such as only our firm, a single building housing our firm, the business district where our firm 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. During a disruption to only our Firm or a building housing our Firm, we will transfer our operations off site as needed and expect to recover and resume business within the same business day. During a disruption affecting our business district, city, or region, we will transfer our operations off site outside of the affected area and expect to recover and resume business as soon as possible. In either situation, we plan to continue conducting business, transfer operations to our clearing firms if necessary and provide notification through our website [www.aegiscapcorp.com](http://www.aegiscapcorp.com) or our customer emergency number 800-920-2502 on how to contact us. If the significant business disruption is so severe that it prevents us from remaining in business, we will make every effort to provide customers prompt access to their funds and securities.

## **For more information**

If you have questions about our business continuity planning, you can contact us at 212-813-1010.