

# **LAKEVIEW ASSET MANAGEMENT, LLC (LVAM)**

## **Business Continuity and Succession Plan**

### **Revised February 29, 2020**

---

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

Lakeview Asset Management, LLC's (LVAM) two emergency contact persons are: Scott R. Rothbort, (702) 749-9343 and (973) 454-3178, [scott.rothbort.lakeview@gmail.com](mailto:scott.rothbort.lakeview@gmail.com) Layni S. Rothbort, Esq., (973) 376-2125, [LSRESQ@yahoo.com](mailto:LSRESQ@yahoo.com) (New Jersey counsel).

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). Scott Rothbort will promptly notify FINRA of any change in this information through FCS (but no later than 30 days following the change) and will review, and if necessary, update, this information within 17 business days after the end of each calendar year.

#### **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 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 our building. External SBDs prevent the operation of the securities markets or several firms, from an exogenous event, 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**

Not applicable since there is only one person within the firm

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

Our firm will maintain copies of its BCP plan and the annual reviews, and the changes that have been made to it for inspection. An electronic copy of our plan is located on our website: <http://www.lakeviewasset.com/>.

#### **III. Business Description**

LVAM conducts business in equity, fixed income, funds (mutual and exchange traded) and derivative securities. The firm is an investment advisor, managing client assets on a

discretionary basis pursuant to an advisory contract. Furthermore, we do not hold customer funds or securities. We will initiate orders which are sent to executing brokers, which, are unrelated to LVAM. Furthermore, these brokers also clear and settle customer transaction. These clearing firm also maintain custody over customers' accounts, can grant customers access to them, and delivers funds and securities. Our firm services only retail customers, including retirement accounts and trusts. LVAM does not engage in any private placement transactions.

LVAM utilizes two nationwide brokerages. The direct contact information is listed below. Furthermore, each firm has multiple offices across the United States and customer service call centers:

1. TD Ameritrade Institutional, 200 South 108<sup>th</sup> Ave., Omaha, NE 68154-2631.  
Tel. 800-934-6124
2. Raymond James & Associates Inc., 9595 Wilshire Blvd., Beverley Hills, CA 90212. Tel. (310) 285-4500

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

Our firm has offices located in Henderson, NV and Millburn, NJ

##### **A. Primary Office Location**

526 Carnforth Drive, Henderson, Nevada, 89014. Its main telephone number is (702) 749-9343.

##### **B. Branch Office Location**

49 Oval Road, Millburn, New Jersey 07041. Its main telephone number is (973) 564-8129.

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

In the event of an SBD, we will move our operations from affected office(s) to the closest of our unaffected office location(s) or an alternative site located at 100 Southview Drive, Diamond Point, NY. If none of our other office locations is available to receive those staff, our brokers will make temporary space available to LVAM to utilize

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

Our firm does not maintain custody of customers' funds or securities, which are maintained at the third-party broker dealer of their choice, namely TD Ameritrade Institutional or Raymond James & Assoc. In the event of an internal or external SBD, clients may directly contact the respective brokers where their accounts are located

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

LVAM maintains its primary hard copy books and records and its electronic records at 526 Carnforth Drive, Henderson, Nevada. Scott Rothbort, President and Managing Member, (702) 749-9343 is responsible for the maintenance of these books and records. The firm maintains its back-up electronic books and records at 49 Oval Road, Millburn, NJ 07041.

The firm backs up its electronic records daily or as updated in a backup cloud drive located at its Millburn address, which is accessible from all locations. Furthermore, LVAM utilizes a third-party encrypted cloud service, Dropbox.

The company's two brokers, TD Ameritrade Institutional and Raymond James & Assoc. also maintain brokerage account documentation.

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 sites. 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 either physically recover the storage media or electronically recover data from our back-up site, or, if our primary site is inoperable, continue operations from our back-up site or an alternate location.

## **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 email, telephone, and internet publication. In addition, we will retrieve our key activity records as described in the section above, Data Back-Up and Recovery.

### **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 obligations to our customers and clients. If we cannot remedy a capital deficiency, we will file appropriate notices with our regulators and immediately take appropriate steps as advised by legal counsel.

## **IX. Mission Critical Systems**

TD Ameritrade Institutional Advisory Services has provided LVAM with an internet-based brokerage account maintenance, reporting and order entry platform. If the system cannot be accessed, TD Ameritrade Institutional has registered brokers available during business hours to accept and place orders across the United States.

TD Ameritrade Institutional's business continuity disclosure is located here:  
[https://www.tdameritrade.com/retail-en\\_us/resources/pdf/AMTD5491.pdf](https://www.tdameritrade.com/retail-en_us/resources/pdf/AMTD5491.pdf)

Raymond James & Assoc. maintains an internet-based brokerage account maintenance and reporting platform. The company will only accept order by telephone. The company has registered brokers available during business hours to accept and place orders across the United States.

Raymond James & Assoc. business continuity disclosure is located here:  
<https://www.raymondjames.com/legal-disclosures/business-continuity-planning-disclosure-statement>

LVAM is satisfied that both brokers had adequate business continuity plans to support the activities of LVAM.

A. Our Firm's Mission Critical Systems

Order Entry, Execution, and Records Transmission

In the event of an internal SBD, we will enter and send orders or records to our brokers by the fastest alternative means available, which include internet, telephone, email, or smartphone.

In the event of an external SBD, we will maintain orders in electronic or paper format, and deliver the order to the broker 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 firm for order entry. Finally, as our brokers have multiple sites across the United States, we will endeavor to travel to such a location which is not affected by an SBD.

B. Mission Critical Systems Provided by Our Brokers

Our brokers have multiple locations across the US which can be contact by telephone or can be traveled to in person to conduct necessary business.

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

A. Customers

We now communicate with our customers using telephone, email, website, US mail and express mail services. 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 email 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.

B. Employees

Not applicable since there are no employees of LVAM, other than Scott R. Rothbort.

C. Regulators

LVAM is registered as an investment advisor with the states of Nevada, New Jersey, and New York. While the company has clients in other states, LVAM is not required to registered with those states as the company is not required to under those states' De Minimus rules. The company will file regulatory reports through the FINRA internet website. We communicate with our regulators using internet, email, telephone, fax, US mail and express mail services. 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. Brokers**

As described above in this plan, we are confident that our brokers will be available to us in the event of an internal or external SBD.

### **B. Banks**

Other than maintaining checking accounts with the company's brokers, LVAM also maintains a banking relationship with JP Morgan Chase. JP Morgan Chase has an internet-based portal, offices located near both business locations as well as nationwide offices and call center to satisfy the banking needs of LVAM in the event of an internal or external SBD.

## **XII. Regulatory Reporting**

LVAM is registered as an investment advisor with the states of Nevada, New Jersey, and New York. The company will file regulatory reports through the FINRA internet website. We communicate with our regulators using internet, email, telephone, fax, US mail and express mail services. 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. If 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**

This document is our written BCP disclosure statement. We provide customers at account opening or upon modification of the BCP. We also post the disclosure statement on our website and mail it to customers and prospective customers upon request.

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

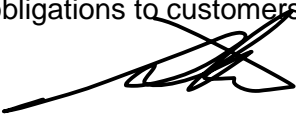
Our firm will update this plan whenever we have a material change to our operations, structure, business, or location or to those of our clearing firm. In addition, our firm will review this BCP annually, no later than March 31, to modify it for any changes in our operations, structure, business, or location or those of our brokers.

## **XV. Succession**

In the case of permanent incapacity or death of Scott Rothbort, LVAM will be dissolved and its affairs wound up. Clients, brokers and regulatory bodies will be so notified by a representative of Mr. Rothbort. Existing client relationships with brokers will remain in full force and no other action will be required on the part of LVAM to allow clients to access their accounts.

**XVI. 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:  \_\_\_\_\_

Title: President & Manager

Date: February 29, 2020