

DIMIRAK SECURITIES CORPORATION  
BUSINESS CONTINUITY PLAN (BCP)

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**I. Emergency Contact Persons**

Our firm's two emergency contact persons are: Phillip J. Rodriguez: 760-806-8200, [phil@dimirak.com](mailto:phil@dimirak.com) and Tammy Pollock (760) 803-5617, [tammy@dimirak.com](mailto:tammy@dimirak.com). These names will be updated in the event of a material change, and our Executive Representative will review them within 17 business days of the end of each quarter.

Rule: NASD Rule 3520.a

**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. In the event that 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 a number of 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 firm.

B. Approval and Execution Authority

Phillip J. Rodriguez, CEO, a registered principal, is responsible for approving the plan and for conducting the required annual review. Tammy Pollock, administrator has the authority to execute this BCP.

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 Dimirak server in the BCP folder and in the BCP Repository Service offered by FINRA.

**III. Business Description**

Our firm conducts business in direct participation programs and private placements. Our firm is an introducing firm and does not perform any type of clearing function for itself or others. Furthermore, we do not hold customer funds or securities. Dimirak does not conduct any retail business. Our firm performs managing broker dealer services only.

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

##### **A. Office Location #1**

Our Location #1 Office is located at 310 Escondido Ave, Vista, CA 92084. Its main telephone number is (760) 806-8200. Our employees may travel to the office by means of foot, car, train, bus, boat or plane.

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

In the event of an SBD, we will move our staff from affected offices to the closest of our unaffected locations. If our office location is available to receive those staff, we will move them to 881 Quails Trail, Vista, CA 92081. Its main telephone number is (760) 612-5927.

Rule: NASD Rule 3510(c)(6).

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

Our firm does not maintain custody of customers' funds or securities. In the event of an internal or external SBD, if telephone service is available, our registered persons will take customer calls or instructions and contact our sponsor firm on their behalf, and if our Web access is available, our firm will post on our Web site that customers may access information regarding their funds and securities by contacting Phillip J. Rodriguez at (760) 806-8200 or Tammy Pollock at (760) 806-8200. The firm will make this information available to customers through its disclosure policy.

Rules: NASD Rule 3510(a); Securities Exchange Act Rule 15c3-1; 15 U.S.C. 78eee (2003).

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

Our firm maintains its primary hard copy books and records and its electronic records at 310 Escondido Ave, Vista, CA 92084 or is responsible for the maintenance of these books and records. Our firm maintains the following document types and forms:

- Purchase and Sales Blotters...various other blotters
- Copies of new business applications, subscription agreements, etc.
- Personnel records, U-4s and U-5s and BD forms etc.
- Written Supervisory Manual
- NASD Manuals
- Accounting information including focus reports, etc.

Our firm maintains its back-up hard copy books and records at Firm's main office. These records consist of the firm's internal accounting records, subscription agreements and paper copies. These records are also maintained electronically at the backup site located at 762 Keough St. Bishop, Ca. 93514. Jason Brown of The Jaspen Corporation, a third party vendor, 760-258-0755, is responsible for the maintenance of these back-up books and records. If our primary site is inoperable, we will continue operations from the back-up site or an alternative location. For the loss of electronic records maintained at the Firm's main office, we will physically recover the hard copy data from our primary site.

Rule: NASD Rule 3510(c)(1).

## **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 [www.dimirak.com](http://www.dimirak.com), (760) 806-8200 voice mail. In addition, we will retrieve our key activity records as described in the section above, Data Back-Up and Recovery electronically.

The financial and operational risks in the event of an internal SBD are not great. The firm's assets are substantially all allowable, as defined by SEC Rule 15c3-1 and consist of cash in FDIC insured bank accounts. The internal accounting records needed to maintain the business are located offsite. We do not foresee that an internal SBD would significantly impair its ability to conduct business from a financial or operational standpoint. This information will be reviewed and the BCP amended as necessary on an annual basis or at any time that circumstances dictate.

Rules: NASD Rules 3510(c)(3) & (f)(2); Securities Exchange Act Rule 15c3-1.

### **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 sponsors, 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.

Rules: NASD Rules 3510(c)(3), (c)(8) & (f)(2).

## **IX. Mission Critical Systems**

Our firm's conduct business is exclusively in are those that ensure prompt and accurate processing of securities transactions, the maintenance of customer accounts and access to customer accounts.

### **A. Mission Critical Systems**

Our firm receives subscription doc's from customers via FedEx/mail/in person visits by the customer. During an SBD, either internal or external, we will continue to receive sub doc's through any of these methods that are available and reliable, and in addition, as communications permit, we will inform our customers when communications become available to tell them what alternatives they have to send their orders to us.

Rules: NASD Rules 3510(c) & (f)(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, our Web site, fax, U.S. mail, and in person visits at our firm or at the other's location. 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 call them on the telephone and follow up where a record is needed with paper copy in the U.S. mail.

Rule: NASD Rule 3510(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 staff home and office phone numbers. We have identified persons, noted below, who live near each other and may reach each other in person:

The person to invoke use of the call tree is:

<b>Caller</b>	<b>Call Recipients</b>
Phillip J. Rodriguez	Kathy Rodriguez, Tammy Pollock

Rule: NASD Rule 3510(c)(5).

C. Regulators

We are currently members of the following SROs: FINRA, SEC. 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: NASD Rule 3510(c)(9).

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

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 the internal or external SBD. We 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.

Rules: NASD Rule 3510(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 light of the internal or external SBD. The bank maintaining our operating account is: Union Bank 825 Escondido Avenue, Vista, CA 92084. Phone #: 1-760-726-6000.

Rules: NASD Rule 3510(c)(7).

C. Counter-Parties

We have 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 sponsors or contact those counter-parties directly to make alternative arrangements to complete those transactions as soon as possible.

Rules: NASD Rules 3510(a) &(c)(7).

**XII. Regulatory Reporting**

Our firm is subject to regulation by: FINRA, SEC, Dept. of Corporations. We now file 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 an SBD, we will check with the SEC, NASD, 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.

**SEC - Pacific Regional Office**  
5670 Wilshire Boulevard, 11th Floor  
Los Angeles, CA 90036-3648  
(323) 965-3998  
E-mail: [losangeles@sec.gov](mailto:losangeles@sec.gov)

**District 2 - Los Angeles**  
300 South Grand Ave, Suite 1600  
Los Angeles, CA 90081-3126  
(213) 229-2300  
(213) 617-3299 Fax  
**David A. Greene, Director**

Rule: NASD Rule 3510(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 Web site and mail it to customers upon request. Our disclosure statement is attached:

#### **XIV. Dimirak Securities' Business Continuity Planning**

Dimirak Securities has developed a Business Continuity Plan on how we will respond to events that significantly disrupt our business. Since the timing and impact of disasters and disruptions is unpredictable, we will have to be flexible in responding to actual events as they occur. With that in mind, we are providing you with this information on our business continuity plan.

**Contacting Us** – If after a significant business disruption you cannot contact us as you usually do at our main office, you should call our alternative number (760) 612-5927.

**Our Business Continuity Plan** – We plan to quickly recover and resume business operations after a significant business disruption 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 our firm to resume operations as quickly as possible, given the scope and severity of the significant business disruption.

Our business continuity plan 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.

**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. In a disruption to only our firm or a building housing our firm, we will transfer our operations to a local site when needed and expect to recover and resume business within 48 hours. In a disruption affecting our business district, city, or region, we will transfer our operations to a site outside of the affected area, and recover and resume business within 48 hours.

**For more information** – If you have questions about our business continuity planning, you can contact us at (760) 806-8200.

Rule: NASD Rule 3510(e).

#### **XV. 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 to modify it for any changes in our operations, structure, business, or location or those of our clearing firm.

Rule: NASD Rule 3510(b).

**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.

Rule: NASD Rule 3510(d).

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Print Name & Title

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Signature

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Date