



## **BUSINESS CONTINUITY PLAN**

**JUNE 4, 2020**

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### **Emergency Contact Persons**

ARK Global has identified two emergency contact persons and has communicated this contact information through the FINRA Contact System (FCS). The Firm will update the contact information promptly (but no later than 30 days following any change in the information) and annually review and update, if necessary, the information within 17 business days after the end of each calendar year. Each emergency contact person is an associated person of the Firm, and at least one emergency contact person is a member of senior management and a registered principal of the Firm. ARK Global's second emergency contact person is either a registered principal of the Firm, or a member of senior management who has knowledge of the Firm's business operations.

Our Firm's two emergency contact persons are:

Sandra Powers Murphy  
CEO/CCO ARK Global LLC  
44 Washington Street Suite 100 Wellesley Hills, MA 02481  
[powers@arkglobalonline.com](mailto:powers@arkglobalonline.com)  
O: 800-676-2921 ext. 4540  
M: 781-572-5288

Jeannette DiBiase  
Marketing Operations, ARK Global LLC  
44 Washington Street Suite 100 Wellesley Hills, MA 02481  
[jeannette@arkglobalonline.com](mailto:jeannette@arkglobalonline.com)  
O: 800-676-2921 ext. ext. 4544  
M: 781-929-7906

*[Rule: FINRA Rule 4370(f); NASD Rule 1160.]*

### **I. Firm Policy**

Our Firm's Business Continuity Plan is provided to all employees/registered representatives of the Firm. The Plan is also stored electronically through our SecuriSync application. The Plan will be executed by Sandra Powers, ARK Global CEO/CCO, and in her absence by Jeannette DiBiase, ARK Global Marketing Operations of record. The objective of our Business Continuity Plan 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 work to assist customers with prompt access to their funds and securities. **At present, ARK Global LLC does not open or hold any customer accounts, and does not participate in any trading activities. ARK Global LLC does not maintain a clearing firm relationship and all transactions are conducted between the customer and the Investment Manager and/or Fund Advisor/Name Distributor directly.**

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 where applicable.

B. Approval and Execution Authority

Sandra Powers, a registered principal, is responsible for approving the plan and for conducting the required annual review. Sandra Powers 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 filed in SecuriSync in the ARK Compliance Folder. Login information is maintained by Sandra Powers and Jeannette DiBiase for access to the most recent document in this secure filing system, and other professionals of ARK Global as designated by Sandra Powers.

*[Rule: FINRA Rule 4370(b), (d) and (e).]*

## **II. Business Description**

Our Firm is an outsourced strategic sales and marketing partner to a limited number of institutional investment management firms. Our Firm does not perform any type of clearing function for itself or others, nor does it contract with any clearing firms. Furthermore, we do not hold customer funds or securities. We do not accept and enter orders. All transactions are conducted between the Investor and the Investment Managers we represent and/or through the Investors' Advisors or directly through the Funds and their respective named Distributors. In each case, the clearing firm of record will be that of the Investment Manager and/or the Advisor's Institution or the Fund itself.

## **III. Office Locations**

Our firm has only one office location. Our office is located at 44 Washington Street, Suite 100, Wellesley Hills, MA 02481. Its main telephone number is (800)676-2921. Our employees/registered representatives may travel to this office by means of automobile, train and foot. We engage in outsourced strategic sales and marketing at this location.

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

In the event of an SBD that rendered our office inaccessible or unsafe, all Registered Representatives and employees of the Firm have the capacity to work remotely through our secure server environment and would be instructed to do so. In the event of a longer term SBD impacting our office environment, we will move our staff from the office to the home of Sandra Powers, the Firm's CEO/CCO, which is less than 2 miles from our office location. The address of this is 44 Tamarack Road Weston, Ma 02493. The Firm's phone system maintains a phone at this location. Additionally, all staff have access to the Firm's phone system externally at any time. In addition, in case of emergency, Sandra Powers maintains a second address at 10 Cranberry Circle, Eastham, MA 02462, which may be utilized as an alternative physical location.

*[Rule: FINRA Rule 4370(c)(6).]*

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

Our Firm does not maintain custody of customers' funds or securities. In the event of an external SBD affecting customer accounts, if telephone service is available, our registered persons will assist customers in contacting the relevant Investment Manager and/or Advisor or Fund on their behalf, and if our Web access is available, our firm will post on our website that customers may access their funds and securities by contacting the relevant Investment Manager and/or Advisor or Fund. 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 as applicable.

*[Rules: FINRA Rule 4370(a); Securities Exchange Act Rule 15c3-1; see also 15 U.S.C. § 78eee.]*

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

Our Firm maintains any relevant hard copy books and records and its electronic records at 44 Washington Street, Suite 100, Wellesley Hills, MA 02481. Sandra Powers, CEO/CCO of ARK Global LLC at (800)676-2921 ext. 4540 is responsible for the maintenance of these books and records. Our Firm maintains the following document types and forms that are not transmitted to a clearing firm: Investment Manager Contracts, Marketing and Disclosure Materials, ARKs books and records. ARK works with its two systems/technology vendors in regards to archiving, storage and remote access—Global Relay and Intermedia.

The firm backs up its electronic records regularly through an automated exchange server process, as well as maintaining records through both SecuriSync, Box and Email as applicable and keeps a copy of login information with Sandra Powers and Jeannette DiBiase.

All required records are copied and stored electronically, and can be accessed accordingly from any remote location with necessary log in credentials. If our primary site is inoperable, we will continue operations from our home locations. 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.

*[Rule: FINRA Rule 4370(c)(1).]*

## **VII. Financial and Operational Assessments**

### **A. Operational Risk**

Operational risk includes the Firm's ability to maintain communications with customers and to retrieve key activity records through its mission critical systems. 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 our website, our telephone voicemail system and our secure email. In addition, we will retrieve our key activity records as described in the section above, Data Back-Up and Recovery (Hard Copy and Electronic).

*[Rules: FINRA Rules 4370(c)(3),(c)(4), (c)(5), (c)(7), (c)(9 & (g)(2)).]*

### **B. Financial and Credit Risk**

Financial risk involves the Firm's ability to fund operations and maintain adequate financing and sufficient capital. The Firm also may face credit risk (where its investments may erode from the lack of liquidity in the broader market), which would also hinder the ability of the Firm's counterparties to fulfill their obligations.

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 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: FINRA Rules 4370(c)(3), (c)(8) & (g)(2).]*

## VIII. Mission Critical Systems

Our firm's "mission critical systems" are limited to confidential information regarding our Investment Management clients, the Institutions we market to and our books and records. ARK Global does not participate in any 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. Our mission critical systems include Quickbooks, Box, SecuriSync, Global Relay, and Intermedia, all accessible remotely and electronically.

We have primary responsibility for establishing and maintaining our business relationships with our customers and have sole responsibility for our mission critical functions.

ARK Global does not engage a clearing firm.

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. **ARK Global does not participate in any clearing or settlement activities, nor does it process any transactions or payments.**

Sandra Powers will periodically review our vendor's capabilities to perform the mission critical functions the Firm has contracted to perform such as email retention, back up and cybersecurity.

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

#### 1. Order Taking

ARK Global does not accept orders.

#### 2. Order Entry

ARK Global does not enter orders.

#### 3. Order Execution

ARK Global does not execute orders.

#### 4. Other Services Currently Provided to Customers

N/A

### B. Mission Critical Systems Provided by Our Clearing Firm

ARK Global does not engage a clearing firm.

[Rules: FINRA Rules 3510(c)(2) & (g)(1).]

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

### A. Customers

We now communicate with our customers using telephone, email and in-person visits to the customer/institutional investor and/or the investment manager. 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.

*[Rule: FINRA Rule 4370(c)(4).]*

### B. Employees

We now communicate with our employees/registered representatives by telephone, email and in person meetings. 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 (or cell) 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: Sandra Powers; In the absence of Sandra Powers, Jeannette DiBiase will invoke the call tree accordingly.

Caller	Call Recipients	Office Number	Cell/Home Number
<i>Sandra Powers</i>	<i>Jeannette DiBiase</i>	800-676-2921	781-929-7906
	Franz Loeber	781-202-6545	617-901-2046
	Karen Gendron	603-772-2842	603-502-4560
	Frank Zukowski	800-676-2921 x4548	732-995-6163
	Lisa Welch	800-676-2921	617-921-4178
	Amanda Gelhaus	800-676-2921	845-551-2460
	Bob Callaghan	617-513-3689	617-513-3689

*[Rule: FINRA Rule 4370(c)(5).]*

### C. Regulators

We are currently members of FINRA and SIPC and are also regulated by the SEC, MSRB and state regulators. We communicate with our regulators using telephone, email, U.S. mail, in person, etc. 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).]

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

The Firm monitors each business relationship to identify changes and the impact an SBD will have on its relationship with its critical business constituents, banks, and counter-parties, and how it will deal with those impacts.

A. Business constituents

We are in contact with 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 regularly monitor the extent to which we can continue our business relationship with them in light of any internal or external SBD. It is our intent to 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: FINRA Rule 4370(c)(7).]

B. Banks

We do not currently have any financing relationships with any banks. The bank maintaining our operating account is Boston Private Bank located at 336 Washington Street, Wellesley MA. We do not have a Proprietary Account of Introducing Brokers/Dealers (PAIB account).

[Rules: FINRA Rule 4370(c)(7).]

C. Counter-Parties

We do not have any counter-parties as we do not complete any transactions on behalf of customers.

[Rules: FINRA Rule 4370(c)(7).]

**XI. Regulatory Reporting**

Our firm is subject to regulation by: FINRA, SEC, MSRB and state securities regulators. We now file reports with our regulators electronically using email and the Internet, and in hard copy when required to do so. In the event of an SBD, we will check with the SEC, FINRA 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. Our FINRA regulator

is located in the FINRA Boston District Office, 99 High Street, Suite 900 Boston, MA 02110.

[Rule: FINRA Rule 4370(c)(8).]

**XII. Disclosure of Business Continuity Plan**

Attached is our written BCP disclosure statement which we post to our website and mail to customers upon request.

[Rule: FINRA Rule 4370(e).]

**XIII. Updates and Annual Review**

Our Firm will update this plan whenever we have a material change to our operations, structure, business or location. In addition, our Firm will review this BCP annually, on or about September 1, to modify it for any changes in our operations, structure, business or location or those of our clearing firm, if applicable.

[Rule: FINRA Rule 4370(b).]

**XIV. 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: FINRA Rule 4370(d).]

Signed: *Sandra Powers Murphy*

Title: *CEO/CCO*

Date: *June 4, 2020*



## **ARK BUSINESS CONTINUITY PLANNING (BCP) DISCLOSURE**

ARK Global, LLC (“ARK Global” or the “Firm”) has developed plans to continue business in the event of a significant business disruption. This disclosure is designed to provide our clients with information on how we will respond to various potential interruptions.

ARK Global has developed and installed a BCP in the case of any business disruption that causes the Firm to have limited or no communications with its internal team or customers. Our plan anticipates two types of business disruptions, internal disruptions that affect only our firm’s ability to do business (such as fire in the building) and external disruptions that prevent the operation of securities markets and/or other firms (such as natural disasters).

The Firm intends to stay in business during both internal and external disruptions due to the fact that the Firm’s internal team can conduct Firm related business from alternate off-site physical locations and the Firm maintains an alternate location for the maintenance of its books and records in a secure cloud environment. We anticipate that the Firm will recover from internal business disruptions within 24-48 hours. An outage due to an external business disruption may be longer and is beyond the control of the Firm. However, the Firm will endeavor to resume business as soon as it is possible for the Firm to establish business operations from alternate off-site locations.

The Firm’s BCP specifically addresses the following areas related to Firm operations:

- Data back-up and recovery (hard copy and electronic);
- All mission critical systems;
- Procedures to test and determine the Firm’s ability to do business (i.e. financial and operational assessments);
- Alternate communications between customers and the Firm;
- Alternate communications between the Firm and its registered representatives;
- Alternate physical location of registered representatives;
- Critical business constituent, bank, and counter-party impact;
- Regulatory reporting;
- Communication with regulators; and
- Descriptions

If after a significant business disruption you cannot contact us as you usually do at [800-676-2921](tel:800-676-2921) or through your designated Registered Representative whose email is either [first name]@arkglobalonline.com or [last name]@arkglobalonline.com, you should email our alternative address at [info@arkglobalonline.com](mailto:info@arkglobalonline.com) or call our alternative emergency only number at [781-572-5288](tel:781-572-5288). If you cannot access us through either of those means, and given that ARK Global does not maintain any accounts, you should contact the firm where your assets are custodied for instructions on how it may provide prompt access to funds and securities, enter orders and process other trade-related, cash, and security transfer transactions for customers.