Westchester Capital Planning, Inc.
Business Continuity Plan (BCP)

I. Emergency Contact Persons

Our firm's two emergency contact persons are: Michael Ross, President, phone: 1-800-343-3687, *e-mail: mross418@aol.com* and Melissa Ross, wife: phone: 845-626-1118, *e-mail: mross811@aol.com* These names will be updated in the event of a material change, and our Executive Representative , Michael Ross, 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). Michael Ross 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.

Rule: FINRA Rule 4370(f);FINRA 4517

II. Firm Policy

Our firm 's policy is to respond to a Significant Business Disruption (SBD) by safeguarding 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)

AN SBD may affect only our firm (e.g., afire in our office building or cyber event) or may be widespread affecting several firms or the operation of the securities markets (e.g. a terrorist attack, a natural disaster or pandemic). Our response will vary depending on the severity of the SBD, which may include greater reliance on other organizations and systems, especially the capabilities of the mutual fund companies and the insurance companies with whom we deal.

B. Plan Approval and Annual Reviews

Michael Ross, the sole proprietor and the only registered principal, is responsible for approving the plan, for conducting the required annual review, and execution of this BCP when and if necessary.

Rule: FINRA Rule 4370(b) and (d)

C. Plan Location and Access

Consistent with FINRA Rule 451 (General Requirements), our firm will maintain copies of its BCP and the annual reviews for inspection, and the BCP will be made available upon request to FINRA staff. An electronic copy of our plan is located on the firm's computer and backup system located at 21 Millbrook Lane Kerhonkson, NY 12446. A copy has also been transmitted to Ron Friedman, CPA.

Rule: FINRA Rule 4370(a); FINRA Rule 4511.

III. Business Description

Our firm conducts business in mutual funds and annuities exclusively by subscription and application. Our firm does not transact trades . Our firm maintains records of our customers' accounts, applications, and records. The customers accounts are not held by the firm; they are held by the mutual fund company or the insurance company in which the client is invested. As such, the mutual fund company or the insurance company can grant customers access to their funds, and deliver their funds and securities in the event of an SBD. Our firm services only retail customers. We do not engage in any private placements.

Firms which we currently do business with are as follows:

Mutual Fund Companies:

Alger: - Box 8480 Boston, MA 02266
Phone: 1-800-992-3863 website: www.alger.com
Franklin Templeton - Box 33030 St. Petersburg, FL 33733
Phone: 1-800-632-2301 website: www.franklintempleton.com
Oppenheimer: - Box 5270 Denver, CO 80217
Phone: 1-888-470-0862 website: www.oppenheimer.com
Putnam: - Box 41203 Providence, RI 02940
Phone: 1-800-225-1581 website: www.putnam.com

Insurance Companies

Allianz Life Insurance: Box 1344 Mineappolis , MN 55416
Phone: 1-800-950-5872 website: www.allianzlife.com
Talcott Resolutions : PO Box 14293 Lexington, KY 40512
Phone: 1-866-223-2120 website: www.talcottresolution.com

IV. Office Locations

Our Firm has an office located at 21 Millbrook Lane Kerhonkson, NY 12446. Its main telephone number is 800-343-3687. Its alternate phone number is 845-626-1118.
As a sole proprietorship, I house the documents and records at this address.
As there are no employees and this is my home/business office, there would be no necessity to get to the office in an SBD. Business such as phone calls, orders, and the like are conducted at this office. Meetings with clients take place at the clients' homes.

V. Alternative Physical Location(s) of Employees

As there are no employees, there would be no need to relocate staff in the event of an SBD. If an SBD occurs and there is a need to relocate to a place other than the home office, the firm can use 7 East Stone St Newburgh, NY 12550. The business phone number would still be 1-800-343-3687.

Rule: FINRA Rule 4370(c)(6).

VI. Customers' Access to Funds and Securities

Our firm does not maintain custody of customers' funds or securities. The Mutual Fund Company or the Insurance Company in which the client is invested holds the funds and may distribute them per the customer's request. In the event of an internal or external SBD, if telephone service is available, Michael Ross will take customer calls or instructions and contact the mutual fund company or the insurance company on their behalf. Clients are already aware that in the event that there is a SBD, they may contact their fund company. The firm will make this information available to customers through its disclosure policy.

Rules: FINRA Rule 4370(a)

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 21 Millbrook Lane Kerhonkson, NY 1246. . Michael Ross, President,800-343-3687 is responsible for the maintenance of these books and records. Our firm maintains new account applications, bank statements, account statements, and related materials.
As the business of this firm is mutual funds and annuities by subscription and application, these documents are also housed at the fund company often in both hard copy and electronic copy. Copies are also held at the home office. The firm's electronic records are maintained on both the hard drive and an external drive. These records are updated frequently. In addition, client records can be accessed online at each of the fund companies.

Our firm backs up its electronic records each time a change is made or an entry occurs. These records are on a drive and in the cloud. Paper copies of account applications and client accounts are maintained by the mutual fund and insurance companies. In the event of an SBD. financial records of the firm are maintained at Ron Friedman's office at MGA & Associates 150 White Plains Rd. Suite 310 Tarrytown, NY 10591.

As there are no employees, Michael Ross is responsible for maintaining the back-up records as well. Furthermore, records are maintained and backed up by the fund companies.

In the event of an internal or external SBD that causes the loss of our paper records, our firm will physically recover these files from the fund companies . If our primary site is inoperable, our firm 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.

Rule: *FINRA Rule 4370(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 *telephone voice mail, secure e-mail, and the websites of the mutual fund and insurance companies*. In addition, if necessary, 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

In the event of an SBD, we will identify whether there are any limitations on our ability to communicate with our customers, critical counter-parties, and regulators, including phone and email) to communicate with customers, critical business constituents, critical banks, insurers, and regulators. . Depending on the limitations, we will employ alternate modes of communication. In the event we are unable to service our customers, our customers may access their funds and securities by contacting their mutual fund or annuity company directly. .

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

IX. Mission Critical Systems

Our firm's "mission critical systems" are those that ensure prompt and accurate processing of customer transactions, maintenance of customer accounts, and facilitation of customer requests.

We have primary responsibility for establishing and maintaining our business relationships with our customers. We rely on the mutual fund company or the insurance company to process the transactions, access the customer's accounts, and deliver the funds and securities.

The mutual fund companies and insurance companies we deal with maintain a business continuity plan and have the capacity to execute that plan. In the event of an SBD, these companies will advise us of any material changes to its plan that might affect our ability to maintain our business and will notify us if they must execute their bcp and provide us equal access to services as its other customers.

The mutual fund and insurance companies represent that it backs up client records at a remote site. They also represent that it operates a back-up operating facility in a geographically separate area with the capability to conduct the same volume of business as its primary site. These companies have also confirmed the effectiveness of its back-up arrangements to recover from a wide scale disruption by testing

Recovery-time objectives provide concrete goals to plan for and test against. 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. The mutual fund companies and the insurance companies have established goals for recovery time and resumption objectives, but again these may change due to the nature of the disruption. In the event of a situation like those experienced on September 11,2001, both our business and the businesses we are associated with would rely on the opening of the markets.

A. <u>Our Firm's Mission Critical Systems</u>

Currently, our firm receives instructions from customers via telephone or in-person visits. . During an SBD, either internal or external, we will continue to take instructions 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 instructions to us. Customers will be informed of alternatives by telephone. If necessary, we will advise our customers to contact the fund company directly.

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

A. Customers

We now communicate with our customers using the telephone, U.S. mail, and in person visits at the client's home. 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. In the event of an SBD, we will identify if there are any limitations on our ability to communicate with customers. Depending on the limitation, we will employ alternate modes of communication, including mail, email, and phone to communicate with our customers, When an alternate mode of communication is used, we will consider increased any increased risk of cybersecurity events stemming from the alternate mode.

Rule: FINRA Rule 4370(c)(4) and e

B. Employees – As this is a sole proprietorship, there are no employees who need to be contacted.

C. Regulators

We are currently members of the following SROs and are also regulated by FINRA, SEC, and NYS department of insurance. 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.

In the event that we have relied on any guidance or temporary regulatory relief from a regulator during a SBD, we will document our reliance.

Rule: FINRA Rule 4370(c)(9).

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

A. Business constituents

In the event of an SBD, we will contact our critical business constituents (mutual fund companies and insurance companies with which we have an ongoing relationship in support of our operating activities, such as vendors providing us critical services), and determine 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. The companies with which we do business currently are listed above in section III (Business Description) .

<u>Rules:</u> *FINRA Rule 4370(c)(7).*

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B. Banks

In the event of an SBD related to our financing, we will contact our bank 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 Citizens Bank 273 Wall St Kingston, NY 12404 800-773-7373

<u>Rules:</u> *FINRA Rule 4370(c)(7).*

C. Counter-Parties

In the event of an SBD related to our financing, we will contact our critical counter-parties, such mutual fund and annuity companies, to determine if we will be able to carry out our transactions with them in light of the SBD. Where the transactions cannot be completed, we will work with those counter-parties directly to make alternative arrangements to complete those transactions as soon as possible.

XII. Regulatory Reporting

In the event of an SBD, we will identify whether there are any limitations on pur ability to fulfill our regulatory reporting obligations. Depending on the limitations, we will employ alternate modes of communication, including phone and email to communicate with regulators in fulfilling our regulatory reporting obligations, In the event we are unable to fulfill regulatory reporting obligation in a timely manner, we will notify our regulators. Our firm is subject to regulation by FINRA, SEC and state securities regulators and state insurance regulators We now file reports with our regulators using paper copies in the U.S. mail, and electronically using fax, e-mail, and the Internet and Edgar. 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.

<u>Rule:</u> *FINRA Rule 4370(c)(8).*

XIII. Disclosure of Business Continuity Plan

Attached is our written BCP disclosure statement we provide customers at account opening and annually. We also mail it to customers upon request.

Rule: FINRA Rule 4370(e).

XIV. 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, to modify it for any changes in our operations, structure, business, or location

Rule: FINRA Rule 4370(b).

XV. Senior Manager Approval

As sole proprietor ,I have developed, reviewed, and 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: ________________________________

Title: ________________________________

Date: ________________________________

Review Record

Signed: ____Michael Ross___________________________

Title: _____President______________________

Original Date: ____September 10, 2004_______(see file)

Updated date ______February 8, 2005___(see file)_

Updated date June 30, 2010

Updated date Aug 3, 2014

Update date July 10, 2016

Update date Feb 21, 2018

Updated date May 20, 2021

Update date Dec 30, 2023

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reflects move from Newburgh, NY to Wurtsboro, NY

……_______June 17, 2007_____________________

Reflects move to Kerhonkson,NY

Reviewed June 23, 2008 All materials up to date.

Reviewed and amended…..June 23,2009

Reviewed and amended…..May 18, 2010 – reflects the change of phone number and change of accountant and change of office to one office in Kerhonkson.

Reviewed June 25, 2011 no changes

Reviewed June 21, 2012 no changes

Reviewed June 17, 2013 no changes

Reviewed August 16, 2014 – reflects change in bank name

Reviewed October 11, 2015 - no changes

Westchester Capital Planning Business Continuity Disclosure

Westchester Capital Planning 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 1-800-343-3687 or mross418@aol.com, you should call our alternative number 845-626-1118. If you cannot access us through either of those means, you should contact your mutual fund or insurance company. The phone numbers and websites for each company we currently deal with are listed below.

Alger	1-800-992-3863	www.alger.com
Franklin Templeton	1-800-632-2301	www.franklintempleton.com
Oppenheimer	1-888-470-0862	www.oppenheimer.com
Putnam	1-800-225-1581	www.putnam.com
Allianz Life Insurance	1-800-950-5872	www.allianzlife.com
Talcott Resolution`	1-866-223-2120	www.talcottresolution.com

Our Business Continuity Plan – We plan to quickly recover and resume business operations after a significant business disruption and respond by safeguarding lives 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, and regulators; critical 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.

The mutual fund and insurance companies back up our important records in a geographically separate area. While every emergency situation poses unique problems based on external factors, such as time of day and the severity of the disruption, we have been advised by each fund company that its objective is to restore its own operations and be able to complete existing transactions and accept new transactions and payments within as short a time as possible Your orders and requests for funds and securities could be delayed during this period depending on the severity of the service disruption.

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 a very short time (within hours depending on the opening of the markets and the abilities of the fund companies to conduct business). 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 the shortest time possible. In either situation, we plan to continue in business and notify you through telephone, email, our voicemail at our office, or mail (if necessary). In the event of an emergency, our customer emergency number is 845-626-1118. If the significant business disruption is so severe that it prevents us from remaining in business, we will notify you as soon as possible and will assure our customer's prompt access to their funds and securities. Every effort will be made to restore operations quickly and with as minimal disruption as possible; however, in the aftermath of September 11th, the markets were closed and this situation dictated when we could resume our normal business transactions.

For more information – If you have questions about our business continuity planning, you can contact us at 800-343-3687..