

# **EARLYBIRDCAPITAL INC.**

## **Business Continuity Plan (BCP) SUMMARY**

### Firm Policy

EarlyBirdCapital, Inc. (“EarlyBird”) is committed to safeguarding the interests of our clients and customers in the event of an emergency or significant business disruption. This Business Continuity Plan Disclosure (the “BCP”) summarizes EarlyBird’s effort to mitigate risks inherent with unforeseen business interruptions. The Firm’s comprehensive business continuity strategy is designed to enable us to meet our existing obligations to our clients and customers even in the event of an emergency or significant business disruption. This BCP is intended to comply with the rules promulgated by the Financial Industry Regulatory Authority (“FINRA”).

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 assure prompt access to customer funds and securities.

### 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.

### Emergency Contacts

Our website address is: [www.earlybirdcapital.com](http://www.earlybirdcapital.com)

Our firm’s emergency contact persons are:

Steven Levine, 212-661-0200, [slevine@earlybirdcapital.com](mailto:slevine@earlybirdcapital.com); and  
Eileen Moore, 631-770-0608, [emoore@earlybirdcapital.com](mailto:emoore@earlybirdcapital.com)

In the event of an SBD, we will move our staff from affected offices to the closest of our unaffected office locations. If none of our other office locations are available to receive those staff, we have created and have access to web based email and web based order entry systems/communications.

## Access to Funds and Securities

Our firm does not maintain custody of customers' funds or securities, which are maintained at our clearing firm, Wedbush Securities Inc.. 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 firm on their behalf, and if our Web access is available, our firm will post on our Web site how customers may access their funds and securities by contacting the persons named on our website. Our website address is [www.earlybirdcapital.com](http://www.earlybirdcapital.com).

Our clearing firm is Wedbush Securities

During an SBD, either internal or external, we will continue to take orders through any 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. Customers will be informed of alternatives by phone, email or our website. If necessary, we will advise our customers to place orders directly with our clearing firm.

In the event that EarlyBird experiences a significant business interruption, Wedbush Securities may be contacted directly to process limited trade-related transactions, cash disbursements, and security transfers. Instructions to Wedbush Securities must be in writing and transmitted via facsimile or postal service as follows:

Wedbush Securities, Inc.  
1000 Wilshire Boulevard  
Los Angeles, CA  
(213) 688-4568  
[www.wedbush.com](http://www.wedbush.com)

**Wedbush Securities may be contacted at (213) 688-4568**

The specific transactions Wedbush Securities will perform for clients of EarlyBird, in the event of an SBD are:

1. Liquidation orders
2. Check Requests
3. Wire Requests
4. ACAT Transfers

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. Our clearing firm has the following SBD recovery time and resumption objectives: recovery and resumption time period of four hours.

## **Disclaimer**

The Firm's comprehensive business continuity strategy is designed to enable us to meet our existing obligations to our clients and customers even in the event of an emergency or significant business disruption; however it is not infallible. The plan is designed to work in many different emergency situations; but these events are, by their nature, unpredictable and it is impossible to anticipate every scenario that could cause a business disruption. Furthermore, although we are confident in our own preparedness, EarlyBird has no control over the various entities that we must rely upon in the event of an emergency. Our business continuity plans are tested periodically to ensure readiness; yet such tests may not be able to replicate the actual conditions we experience in a real emergency. This BCP is subject to change without notice. In the event that this BCP is modified, the updated document will be promptly posted on our internet website. Alternatively, customers may obtain an updated hard copy BCP upon request. The information contained in this disclosure is provided by EarlyBird for informational purposes only. Nothing contained herein shall be construed to amend, supplement or otherwise modify any of the terms and conditions set forth in any customer agreement between you and EarlyBird.