

# **JAG Capital Management, LLC Business Continuity Plan (BCP)**



**9841 Clayton Road  
St. Louis, MO 63124  
314.997.1277**

**400 North Michigan Avenue  
Suite 1680  
Chicago, IL 60611  
314.997.1277**

**June 2021**

## **I. Emergency Contact Persons**

JAG Capital Management, LLC's ("JAGCM" or "Firm") two emergency contact persons are: Norman B. Conley III, Cell Phone 314.406.9137, email nconley@jagcapm.com and Roberta Maue, Cell Phone 618.978.8968 email rmaue@jagcapm.com. These names will be updated in the event of a material change and reviewed in conjunction with the annual review of this business continuity plan.

Norm Conley is the controlling shareholder of JAGCM. The Firm has a succession plan in place should Mr. Conley become incapacitated or deceased. In addition, the Firm maintains a key man life insurance policy on Mr. Conley to provide liquidity to the Firm in the event that Mr. Conley is deceased.

## **II. Firm Policy**

JAGCM'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 clients to transact business. In the event that we determine we are unable to continue our business, we will assure Clients' 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, earthquake or a wide-scale, regional disruption, or a public health risk, such as a pandemic. Our response to an external SBD relies more heavily on other organizations and systems, especially on the capabilities of our clearing firms.

In the event of a disruption during business hours, employees in the St. Louis office should evacuate the building immediately. Once evacuated employees should meet at the back parking lot of the adjacent building to the east side of the office to allow a head count to ensure all employees have exited the building.

In the event of a disruption during business hours, employees in the Chicago office should follow the evacuation plan as implemented by the building's management.

### **B. Approval and Execution Authority**

Norman B. Conley, III, our CEO, is responsible for approving the BCP plan. Matthew Hardin (or his designee), is our Chief Compliance Officer (CCO), and is responsible for conducting the required annual review. Matthew Hardin, Norman Conley, and Roberta Maue have the authority to execute this BCP.

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

JAGCM will maintain copies of its BCP plan, the annual reviews, and any changes that have been made to it for inspection. An electronic copy of our plan is located on the server in the Compliance File - BCP Folder. In addition, employees will receive an electronic copy of the plan, initially upon hire and no less than annually thereafter.



#### D. Business Description

JAGCM offers discretionary and non-discretionary investment advisory services to retail and institutional investors through various custodians. JAGCM also serves as the adviser to a proprietary mutual fund. Assets are custodied by brokers or banks and our business is dependent on having access to their information required to manage these accounts. As such, JAGCM maintains a list of custodians and contact information within Wealthbox CRM.

#### E. Office Location

Our primary office is located at 9841 Clayton Road, St. Louis, MO 63124. The closure of Clayton Road could present a significant business disruption. The Firm also has an office located at 400 North Michigan Avenue, Suite 1680, Chicago, IL 60611.

#### F. Alternative Physical Location(s) of Employees

In the event of an SBD, we will direct our employees to work at our alternate location, 2256 North Ballas Road, St. Louis, MO 63131 or from their home residence. The nature of any further action will be determined after the assessment, including, if necessary, relocation of key business and technical personnel to alternative office space or direct such employees to work from their residence. If alternate office space is inaccessible for an extended period of time due to a mandated remote work environment, such as during a pandemic, employees will work from their residence. The Firm's systems have been designed so that generally, all Firm personnel will have the ability to access JAGCM's electronic records via VPN access or through cloud-based solutions.

#### G. Clients' Access to Funds and Securities

JAGCM does not maintain custody of clients' funds or securities. Client accounts are custodied at custodians in which JAGCM has an agreement. We will assist clients to the best of our abilities during a SBD. Generally, JAGCM can continue to service Client accounts anywhere there is an Internet connection. However, Clients may be requested to directly contact their account custodian or broker in the event that we are unable to assist them.

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

Our firm maintains its primary hard copy books and records and its electronic records at 9841 Clayton Road, St. Louis, MO 63124. Roberta Maue is responsible for the maintenance of these books and records.

Our firm backs up records on a nightly basis at 6:00 p.m. CST. All servers are backed up using Azure Backup. The backup vault is GEO redundant; therefore, records are replicated locally, regionally and non-regional which provides for 9 copies of each backup.

If our primary site is inoperable, we will continue operations from an alternate location or direct employees to work from their residence. 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. For the loss of electronic records, our IT provider, Moore Computing, will assist the Firm in recovering records from the back-up vault.



## I. Financial and Operational Assessments

The firm is adequately prepared to respond to a business disruption as most of our systems are not location dependent. The majority of JAGCM's business can be carried out wherever there is Internet access.

In the event of an SBD, we will immediately identify what means will permit us to communicate with our clients, 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, telephone messages, cell phones, and email. In addition, we will retrieve our key activity records as described in the Section H above, Data Back-Up and Recovery.

## J. Mission Critical Systems

Order execution is primarily conducted through SS&C|Advent Moxy FIX/Blaze (fixed income). If the order execution via Moxy FIX is not utilized, JAGCM would execute orders via trading platforms for the various custodians maintaining accounts on their clients' behalf.

Fixed Income Trading has access to Bloomberg Anywhere via laptop and an Internet connection. Secondary order execution via Bond Central through Netx360 for accounts maintained at Pershing Advisor Solutions is also available.

Microsoft applications are cloud based via Office 365.

Trades can also be phoned into the trading desks at various custodians that maintain client accounts. All contact numbers are stored in the CRM and accessible via the Internet. Wires will be called in to the appropriate bank departments or entered via the Internet.

We have primary responsibility for establishing and maintaining our business relationships with our clients and have sole responsibility for our mission critical functions of order taking and entry.

## K. Our Firm's Mission Critical Systems

Please see Exhibit A.



## L. Order Taking

Currently, our Firm receives orders from customers via telephone, email or in person. During an SBD, either internal or external, we will continue to take orders through any of these methods that are available and reliable. In addition, as communications permit, we will inform our clients at to new alternatives they have to send their orders to us. If necessary, we will advise our clients to place orders directly with their custodian.

### 1. **Order Entry**

Currently, our Firm enters orders by entering them in SS&C|Advent Moxy FIX/Blaze (fixed income). Trades can also be phoned into the trading desks at various custodians that maintain client accounts. All contact numbers are stored in the CRM and accessible via the Internet. In addition, during an internal SBD, we may need to refer our clients to deal directly with their custodian.

### 2. **Order Execution**

We currently depend on outside brokers for execution.

### 3. **Other Services Currently Provided to Customers**

In addition to those services listed above in this section we also provide reporting services for our Advisory Clients. In the event of an internal SBD, we would be able to continue to provide this after we restore our backups.

## III. Alternate Communications between the Firm and Clients, Employees, and Regulators

### A. Clients

We communicate with our clients using the telephone, email, our website, fax, US mail, and in person. In the event of an SBD, we will assess which means of communication are still available to us. 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 US mail. We will post a notification on our website ([www.Jagcapm.com](http://www.Jagcapm.com).) Sheryl Dineen is the internal contact for doing this and can be reached at [sdineen@jagcapm.com](mailto:sdineen@jagcapm.com).

The Firm will utilize VOIP which will facilitate the forwarding of phone lines via the Internet.

### B. Employees

We now communicate with our employees using the telephone, email, 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, oral or electronically such as Microsoft Teams, email and/or cellphones as applicable. JAGCM maintains a list of employees personal cellphones which is reviewed and distributed on a quarterly basis.



## C. Regulators

JAGCM is an SEC-registered investment adviser. We communicate with our regulators using the telephone, email, fax, US 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.

## IV. Critical Business Constituents, Banks, and Counter-Parties

### A. Business constituents

We will contact our critical business constituents and determine the extent to which we can continue our business relationship with them. We will quickly establish alternative arrangements if a business constituent can no longer provide the needed goods or services because of a SBD to them or our firm. Our mission critical business partners and contact information is maintained in Exhibit A.

### B. Banks

We will contact 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 Enterprise Bank and Trust.

## V. Regulatory Reporting

Our firm is subject to regulation by the SEC. The Firm may be required to file certain documents and/or reports with regulators electronically using the Internet. In the event of an SBD, the Firm will utilize Internet access at an alternate location, including home residence, to ensure timely filings, as applicable.

## VI. Disclosure of Business Continuity Plan

A copy of the BCP is available to clients upon request.

## VII. 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 firms. In addition, our Firm will review this BCP, no less than annually, to determine if there were any changes in our operations, structure, business, or location or those service providers which would require amendments to the current plan.



EXHIBIT A  
Mission Critical Business Partners

**AT&T & Cadence Technology**

877.288.8362

Circuit ID for voice is **MLEC.751437..ATI..**

Circuit for data is IUEC.506774.

**router number/name is USJAGLLADM001R.**

<https://expressticketing.acss.att.com/expressticketing/>

Cadence Technology

314.627.5900 X2

support@844cadence.com

**Bloomberg**

Tina Favale – (212) 617-3412

cfavale@bloomberg.net

**FactSet**

Dan Martino – (312) 386-2517

dmartino@factset.com

**Gemini Fund Services**

(631) 470-2659

[susanh@geminiFund.com](mailto:susanh@geminiFund.com)

**Moore Computing**

314.621.5585

Fred Moore – 314.261.7127

help@moorecomputing.com

**SS&C|Advent**

Lynn Rowley – 206.920.7942

lrowley@advent.com

