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**ANNUAL AUDITED REPORT  
FORM X-17A-5**

MAY 16 2014

**PART III**

Washington, DC  
**124**

| SEC FILE NUMBER |
|-----------------|
| 8-69095         |

FACING PAGE

**Information Required of Brokers and Dealers Pursuant to Section 17 of the Securities Exchange Act of 1934 and Rule 17a-5 Thereunder**

REPORT FOR THE PERIOD BEGINNING 03/22/13 AND ENDING 12/31/13  
MM/DD/YY MM/DD/YY

**A. REGISTRANT IDENTIFICATION**

NAME OF BROKER-DEALER: deFilippo Capitale Partners LLC

OFFICIAL USE ONLY

ADDRESS OF PRINCIPAL PLACE OF BUSINESS: (Do not use P.O. Box No.)

FIRM I.D. NO.

520 Broadway, Ste 350

(No. and Street)

Santa Monica

CA

90401

(City)

(State)

(Zip Code)

NAME AND TELEPHONE NUMBER OF PERSON TO CONTACT IN REGARD TO THIS REPORT

Jack Lubitz

516-994-0743

(Area Code - Telephone Number)

**B. ACCOUNTANT IDENTIFICATION**

INDEPENDENT PUBLIC ACCOUNTANT whose opinion is contained in this Report\*

Weintraub & Associates, LLP

(Name - if individual, state last, first, middle name)

200 Mamaroneck Ave, Suite 502

White Plains

NY

10601

(Address)

(City)

(State)

(Zip Code)

CHECK ONE:

- Certified Public Accountant
- Public Accountant
- Accountant not resident in United States or any of its possessions.

**FOR OFFICIAL USE ONLY**

\*Claims for exemption from the requirement that the annual report be covered by the opinion of an independent public accountant must be supported by a statement of facts and circumstances relied on as the basis for the exemption. See Section 240.17a-5(e)(2)

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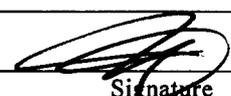
OATH OR AFFIRMATION

I, Jack Lubitz, swear (or affirm) that, to the best of my knowledge and belief the accompanying financial statement and supporting schedules pertaining to the firm of deFilippo Capitale Partners LLC, as of December 31, 2013, are true and correct. I further swear (or affirm) that neither the company nor any partner, proprietor, principal officer or director has any proprietary interest in any account classified solely as that of a customer, except as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
5/13/14  
Notary Public

LISA A. PURVILLE  
Notary Public - State of New York  
ID No. 01PU6139952  
Qualified in Nassau County  
My Commission Expires January 17, 2014  
JLP

  
Signature  
FINOP  
Title

This report \*\* contains (check all applicable boxes):

- (a) Facing Page.
- (b) Statement of Financial Condition.
- (c) Statement of Income (Loss).
- (d) Statement of ~~Changes in Financial Condition~~ Cash Flows.
- (e) Statement of Changes in Stockholders' Equity or Partners' or Sole Proprietors' Capital.
- (f) Statement of Changes in Liabilities Subordinated to Claims of Creditors.
- (g) Computation of Net Capital.
- (h) Computation for Determination of Reserve Requirements Pursuant to Rule 15c3-3.
- (i) Information Relating to the Possession or Control Requirements Under Rule 15c3-3.
- (j) A Reconciliation, including appropriate explanation of the Computation of Net Capital Under Rule 15c3-1 and the Computation for Determination of the Reserve Requirements Under Exhibit A of Rule 15c3-3.
- (k) A Reconciliation between the audited and unaudited Statements of Financial Condition with respect to methods of consolidation.
- (l) An Oath or Affirmation.
- (m) A copy of the SIPC Supplemental Report.
- (n) A report describing any material inadequacies found to exist or found to have existed since the date of the previous audit.
- (o) Supplemental Report on Internal Control.

\*\*For conditions of confidential treatment of certain portions of this filing, see section 240.17a-5(e)(3).

**DEFILIPPO CAPITALE PARTNERS, LLC**  
**FINANCIAL STATEMENTS**  
**AND SUPPLEMENTARY SCHEDULES**  
**FOR THE PERIOD**  
**MARCH 22, 2013 THROUGH DECEMBER 31, 2013**

SEC  
Mail Processing  
Section  
MAY 16 2014  
Washington, DC  
124

**DEFILIPPO CAPITALE PARTNERS, LLC**  
**FINANCIAL STATEMENTS AND SUPPLEMENTARY SCHEDULES**  
**FOR THE PERIOD MARCH 22, 2013 THROUGH DECEMBER 31, 2013**

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# Weintraub & Associates, LLP

Certified Public Accountants

200 Mamaroneck Avenue  
Suite 502  
White Plains, New York 10601

## **INDEPENDENT AUDITOR'S REPORT**

To the Member of  
DeFilippo Capitale Partners, LLC  
Santa Monica, CA

### **Report on the Financial Statement**

We have audited the accompanying statement of financial condition of DeFilippo Capitale Partners, LLC (the Company), a Nevada Limited Liability Corporation, as of December 31, 2013, and the related statements of operations, changes in member's capital and cash flows for the period March 22, 2013 through December 31, 2013 that are filed pursuant to Rule 17a-5 under the Securities Exchange Act of 1934, and the related notes to the financial statements.

### **Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### **Auditor's Responsibility**

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

# Weintraub & Associates, LLP

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Certified Public Accountants

## **Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of DeFilippo Capitale Partners, LLC. as of December 31, 2013, and the results of its operations and its cash flows for the period March 22, 2013 through December 31, 2013 in accordance with accounting principles generally accepted in the United States of America.

## **Other Matter**

Our audit was conducted for the purpose of forming an opinion on the financial statements taken as a whole. The information contained in the supplementary schedules listed in the accompanying index is presented for purposes of additional analysis and is not a required part of the financial statements, but is supplementary information required by Rule 17a-5 under the Securities Exchange Act of 1934. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information contained in the supplementary schedules listed in the accompanying index has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information contained in the supplementary schedules listed in the accompanying index is fairly stated in all material respects in relation to the financial statements taken as a whole.

**WEINTRAUB & ASSOCIATES, LLP**

Certified Public Accountants

*Weintraub & Associates, LLP*

White Plains, New York

March 1, 2014

**DEFILIPPO CAPITALE PARTNERS, LLC**  
**STATEMENT OF FINANCIAL CONDITION**  
**DECEMBER 31, 2013**

**ASSETS**

|                  |                         |
|------------------|-------------------------|
| Cash             | \$ 1,715,088            |
| Prepaid expenses | 44,478                  |
| Security deposit | <u>4,746</u>            |
| <br>Total Assets | <br><u>\$ 1,764,312</u> |

**LIABILITIES AND MEMBER'S CAPITAL**

Liabilities:

|  |                         |
|--|-------------------------|
| Accounts payable and accrued expenses      | \$ 5,915                |
| <br>Member's Capital                       | <br><u>1,758,397</u>    |
| <br>Total Liabilities and Member's Capital | <br><u>\$ 1,764,312</u> |

See accompanying notes to financial statements.

**DEFILIPPO CAPITALE PARTNERS, LLC**

**STATEMENT OF OPERATIONS**

**FOR THE PERIOD MARCH 22, 2013 THROUGH DECEMBER 31, 2013**

Revenues:

|                   |                  |
|-------------------|------------------|
| Fee income        | \$ 2,676,963     |
| Consulting income | 60,000           |
| Interest income   | <u>245</u>       |
| Total Revenues    | <u>2,737,208</u> |

Expenses:

|                          |                     |
|--------------------------|---------------------|
| Commission expense       | 50,000              |
| Professional fees        | 26,506              |
| Rent                     | 18,543              |
| Regulatory fees          | 1,124               |
| Other operating expenses | <u>3,109</u>        |
| Total Expenses           | <u>99,282</u>       |
| Net Income               | <u>\$ 2,637,926</u> |

See accompanying notes to financial statements.

**DEFILIPPO CAPITALE PARTNERS, LLC**

**STATEMENT OF CHANGES IN MEMBER'S CAPITAL**

**FOR THE PERIOD MARCH 22, 2013 THROUGH DECEMBER 31, 2013**

|   |                     |
|---|---------------------|
| Balance, March 22, 2013                               | \$ 60,471           |
| Member's Distributions                                | ( 940,000)          |
| Net Income – March 22, 2013 through December 31, 2013 | <u>2,637,926</u>    |
| Balance, December 31, 2013                            | <u>\$ 1,758,397</u> |

See accompanying notes to financial statements.

DEFILIPPO CAPITALE PARTNERS, LLC

STATEMENT OF CASH FLOWS

FOR THE PERIOD MARCH 22, 2013 THROUGH DECEMBER 31, 2013

Cash flows from operating activities:

|   |                     |
|---|---------------------|
| Net Income  | <u>\$ 2,637,926</u> |
| Adjustments to reconcile net income to net cash provided by operating activities: |                     |
| (Increase) decrease in operating assets:  |                     |
| Prepaid expenses  | ( 44,017)           |
| Security deposit  | ( 4,746)            |
| Increase (decrease) in operating liabilities:                                     |                     |
| Accounts payable and accrued expenses   | <u>5,915</u>        |
| Total adjustments   | <u>( 42,848)</u>    |
| Net cash provided by operating activities   | <u>2,595,078</u>    |
| Cash flows from financing activities:   |                     |
| Member distributions  | <u>( 940,000)</u>   |
| Net cash used in financing activities   | <u>( 940,000)</u>   |
| Net increase in cash  | 1,655,078           |
| Cash, beginning of period   | <u>60,010</u>       |
| Cash, end of period   | <u>\$ 1,715,088</u> |

See accompanying notes to financial statements.

**DEFILIPPO CAPITALE PARTNERS, LLC**

**NOTES TO FINANCIAL STATEMENTS**

**DECEMBER 31, 2013**

**Note (1) - Nature of business:**

DeFilippo Capitale Partners, LLC (the "Company") is a broker-dealer registered with the Securities and Exchange Commission ("SEC"), and members of the Financial Industry Regulatory Authority ("FINRA") and the Securities Investor Protection Corp. ("SIPC"). SEC approval for the Company to operate as a broker-dealer was effective as of March 22, 2013. The Company engages in investment banking services limited to private placements of debt and equity instruments.

**Note (2) – Summary of significant accounting policies:**

**(A) Revenue recognition:**

The Company recognizes fee income upon the successful completion of investment banking agreements.

**(B) Cash and cash equivalents:**

For purposes of the Statement of Cash Flows, the Company considers all highly liquid debt instruments with an original maturity of three months or less to be cash equivalents. As of December 31, 2013, there were no cash equivalents.

**(C) Use of estimates:**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the period. Actual results could vary from those estimates.

**(D) Income taxes:**

The Company files income tax returns on the accrual basis as a partnership for federal and state income tax purposes. As such, the Company will not pay any income taxes, as any income or loss will be included in the income tax returns of the individual members. Accordingly, no provision is made for income taxes in the financial statements.

At December 31, 2013, management has determined that the Company had no uncertain tax positions that would require financial statement recognition. This determination will always be subject to ongoing reevaluation as facts and circumstances may require.

**DEFILIPPO CAPITALE PARTNERS, LLC**

**NOTES TO FINANCIAL STATEMENTS  
(CONCLUDED)**

**DECEMBER 31, 2013**

**Note (2) - Summary of significant accounting policies - cont'd:**

**(E) Concentration of credit risk:**

The Company maintains its cash in accounts that, at times, may exceed federally insured limits. The Company has not experienced any losses in such accounts and believes it is not exposed to any significant credit risk on cash and cash equivalents.

**(F) Subsequent events evaluation:**

Management has evaluated subsequent events through March 1, 2014, the date the financial statements were available to be issued.

**Note (3) - Net capital requirement:**

As a registered broker-dealer, the Company is subject to the SEC's Uniform Net Capital Rule 15c3-1. The Rule requires that the Company maintain minimum net capital and requires that the ratio of aggregate indebtedness to net capital, both as defined, shall not exceed 15 to 1 (and that equity capital may not be withdrawn or cash dividends paid if the resulting net capital ratio would exceed 10 to 1). At December 31, 2013, the Company had net capital of \$1,709,143 which exceeded its requirement of \$5,000 by \$1,704,143. The Company had a ratio of aggregate indebtedness to net capital of 0.35% at December 31, 2013.

**DEFILIPPO CAPITALE PARTNERS, LLC**

**COMPUTATION FOR DETERMINATION OF RESERVE REQUIREMENTS AND  
INFORMATION RELATING TO POSSESSION OR CONTROL REQUIREMENTS  
FOR BROKERS AND DEALERS PURSUANT TO RULE 15c3-3**

**DECEMBER 31, 2013**

The Company is exempt from the provisions of Rule 15c3-3 under the Securities Exchange Act of 1934 in that the Company's activities are limited to those set forth in the conditions for exemption appearing in Paragraph (k) (1) of that rule.

**DEFILIPPO CAPITALE PARTNERS, LLC**

**COMPUTATION OF NET CAPITAL PURSUANT TO RULE 15c3-1**

**DECEMBER 31, 2013**

**Computation of Net Capital**

|   |                     |
|---|---------------------|
| Members' capital  | <u>\$ 1,758,397</u> |
| Non-allowable assets:   |                     |
| Prepaid expenses  | 44,478              |
| Security deposit  | <u>4,746</u>        |
| Total non-allowable assets  | <u>49,224</u>       |
| Net capital before haircuts on proprietary positions  | 1,709,173           |
| Haircut   | <u>30</u>           |
| Net capital   | 1,709,143           |
| Minimum net capital requirement - the greater of \$5,000<br>or 6-2/3% of aggregate indebtedness of \$ 5,915 | <u>5,000</u>        |
| Excess net capital  | <u>\$ 1,704,143</u> |
| Ratio of aggregate indebtedness to net capital  | 0.35%               |
| Schedule of aggregate indebtedness:   |                     |
| Accounts payable and accrued expenses   | <u>\$ 5,915</u>     |
| Total aggregate indebtedness  | <u>\$ 5,915</u>     |

Reconciliation with the Company's computation (included in Part IIA of Form X-17-a-5 as of December 31, 2013):

|  |                     |
|--|---------------------|
| Net capital, as reported in the Company's Part IIA<br>unaudited FOCUS report | \$ 1,713,890        |
| Adjustment to nonallowable assets  | ( <u>4,747</u> )    |
| Net capital per above  | <u>\$ 1,709,143</u> |

# Weintraub & Associates, LLP

Certified Public Accountants

200 Mamaroneck Avenue  
Suite 502  
White Plains, New York 10601

## **INDEPENDENT AUDITOR'S REPORT** **ON INTERNAL CONTROL REQUIRED BY RULE 17a-5**

To the Member of  
deFilippo Capitale Partners, LLC

In planning and performing our audit of the financial statements of deFilippo Capitale Partners, LLC as of December 31, 2013 and for the period March 22, 2013 through December 31, 2013, in accordance with auditing standards generally accepted in the United States of America, we considered the Company's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control. Accordingly, we do not express an opinion on the effectiveness of the Company's internal control.

Also, as required by 17a-5(g)(1) of the Securities and Exchange Commission (SEC), we have made a study of the practices and procedures followed by the Company including consideration of control activities for safeguarding securities. This study included tests of compliance with such practices and procedures that we considered relevant to the objectives states in Rule 17a-5(g), in the following:

1. Making the quarterly securities examinations, counts, verifications and comparisons, and the recordation of differences required by Rule 17a-13.
2. Complying with the requirements for prompt payment for securities under Section 8 of Federal Reserve Regulation T of the Board of Governors of the Federal Reserve System.

The management of the Company is responsible for establishing and maintaining internal control and the practices and procedures referred to in the preceding paragraph. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of controls, and of the practices and procedures referred to in the preceding paragraph, and to assess whether those practices and procedures can be expected to achieve the SEC's previously mentioned objectives. Two of the objectives of an internal control and the practices and procedures are to provide management with reasonable but not absolute assurance that assets for which the Company has responsibility are safeguarded against loss from unauthorized use or disposition, and that transactions are executed in accordance with management's authorization and recorded properly to permit preparation of financial statements in conformity with generally accepted accounting principles. Rule 17a-5(g) lists additional objectives of the practices and procedures listed in the preceding paragraph.

# Weintraub & Associates, LLP

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Certified Public Accountants

Because of inherent limitations in internal control and the practices and procedures referred to above, error or fraud may occur and not be detected. Also, projection of any evaluation of them to future periods is subject to the risk that they may become inadequate because of changes in conditions or that the effectiveness of their design and operation may deteriorate.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

A material weakness is a deficiency, or combinations of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the company's financial statements will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control was for the limited purpose described in the first and second paragraphs and would not necessarily identify all deficiencies in internal control that might be material weaknesses. We did not identify any deficiencies in internal control and control activities for safeguarding securities that we consider to be material weaknesses, as defined previously. However, we identified certain deficiencies in internal control that we consider to be significant deficiencies as defined above, and communicated them in writing to management and the Board of Directors on February 28, 2014. Management has made the necessary internal adjustments in order to correct these issues.

We understand that practices and procedures that accomplish the objectives referred to in the second paragraph of this report are considered by the SEC to be adequate for its purposes in accordance with the Securities Exchange Act of 1934 and related regulations, and that practices and procedures that do not accomplish such objectives in all material respects indicate a material inadequacy for such purposes. Based on this understanding and on our study, we believe that the Company's practices and procedures, as described in the second paragraph of this report, were adequate at December 31, 2013, to meet the SEC's objectives.

This report is intended solely for the information and use of the Board of Directors, management, the SEC, and other regulatory agencies that rely on Rule 17a-5(g) under the Securities Exchange Act of 1934 in their regulation of registered brokers and dealers, and is not intended to be and should not be used by anyone other than these specified parties.

WEINTRAUB & ASSOCIATES, LLP  
Certified Public Accountants

*Weintraub & Associates, LLP*

White Plains, New York  
March 1, 2014