

# Capital Design Private Wealth LLC

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## Form ADV Part 2A – Disclosure Brochure

**Effective: March 8, 2024**

This Form ADV Part 2A (“Disclosure Brochure”) provides information about the qualifications and business practices of Capital Design Private Wealth LLC (“Capital Design” or the “Advisor”). If you have any questions about the contents of this Disclosure Brochure, please contact us at (603) 534-2089 or by email at [info@capitaldesignpw.com](mailto:info@capitaldesignpw.com).

Capital Design is a registered investment advisor with the SEC. The information in this Disclosure Brochure has not been approved or verified by the U.S. Securities and Exchange Commission (“SEC”) or by any state securities authority. Registration of an investment advisor does not imply any specific level of skill or training. This Disclosure Brochure provides information about Capital Design to assist you in determining whether to retain the Advisor.

Additional information about Capital Design and its Advisory Persons are available on the SEC’s website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) by searching with our firm name or our CRD# 300472.

## Item 2 – Material Changes

Form ADV 2 is divided into two parts: *Part 2A (the "Disclosure Brochure")* and *Part 2B (the "Brochure Supplement")*. The Disclosure Brochure provides information about a variety of topics relating to an Advisor's business practices and conflicts of interest. The Brochure Supplement provides information about the Advisory Persons of Capital Design. For convenience, we have combined these documents into a single disclosure document.

Capital Design believes that communication and transparency are the foundation of its relationship with Clients and will continually strive to provide its Clients with complete and accurate information at all times. Capital Design encourages all current and prospective Clients to read this Disclosure Brochure and discuss any questions you may have with us. And of course, we always welcome your feedback.

The last annual update of this Brochure was filed on January 31, 2023. Since this filing, the following changes have been made:

- CDPW have added 55ip as a model portfolio manager

**Future Changes** From time to time, we may amend this Disclosure Brochure to reflect changes in our business practices, changes in regulations and routine annual updates as required by the securities regulators. This complete Disclosure Brochure or a Summary of Material Changes shall be provided to each Client annually and if a material change occurs.

At any time, you may view the current Disclosure Brochure on-line at the SEC's Investment Adviser Public Disclosure website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) by searching with our firm name or our CRD# 300472. You may also request a copy of this Disclosure Brochure at any time, by contacting us at (603) 534-2089 or by email at [info@capitaldesignpw.com](mailto:info@capitaldesignpw.com).

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## Item 4 – Advisory Services

**A. Firm Information** Capital Design Private Wealth LLC (“Capital Design” or the “Advisor”) is a registered investment advisor with the SEC, which is organized as a Limited Liability Company (LLC) under the laws of the State of New Hampshire. Capital Design was founded in January 2019, and is owned and operated by Andre N. LaPlante (Partner and Chief Compliance Officer), Hilton J. Kelly (Partner), and Nicholas Drew (Partner). This Disclosure Brochure provides information regarding the qualifications, business practices, and the advisory services provided by Capital Design.

**B. Advisory Services Offered** Capital Design offers investment advisory services to individuals, high net worth individuals, trusts, estates and retirement plans in the State of New Hampshire and other states (each referred to as a “Client”).

The Advisor serves as a fiduciary to Clients, as defined under the applicable laws and regulations. As a fiduciary, the Advisor upholds a duty of loyalty, fairness and good faith towards each Client and seeks to mitigate potential conflicts of interest. Our fiduciary commitment is further described in our Code of Ethics. For more information regarding our Code of Ethics, please see Item 11 – Code of Ethics, Participation or Interest in Client Transactions and Personal Trading.

**Investment Management Services** Capital Design provides customized investment advisory solutions for its Clients. This is achieved through continuous personal Client contact and interaction while providing discretionary investment management and related advisory services. Capital Design works closely with each Client to identify their investment goals and objectives as well as risk tolerance and financial situation in order to create a portfolio strategy. Capital Design will then construct an investment portfolio, consisting of low-cost, diversified mutual funds and/or exchange traded funds (“ETFs”) to achieve the Client’s investment goals. The Advisor may also utilize individual stocks, closed end funds, or certificates of deposits to meet the needs of its Clients. The Advisor may retain certain types of investments based on a Client’s legacy portfolio construction. On certain occasions Capital Design may outsource investment selection and portfolio construction to 55ip an outside portfolio manager. Capital Design performs due diligence on all outside managers to review model portfolios remain aligned with Capital Designs investment strategy.

Capital Design’s investment strategy[ies] is/are primarily long-term focused, but the Advisor may buy, sell or re allocate positions that have been held less than one year to meet the objectives of the Client or due to market conditions. Capital Design will construct, implement and monitor the portfolio to ensure it meets the goals, objectives, circumstances, and risk tolerance agreed to by the Client. Each Client will have the opportunity to place reasonable restrictions on the types of investments to be held in their respective portfolio, subject to acceptance by the Advisor.

Capital Design evaluates and selects investments for inclusion in Client portfolios only after applying its internal due diligence process. Capital Design may recommend, on occasion, redistributing investment allocations to diversify the portfolio. Capital Design may recommend specific positions to increase sector or asset class weightings. The Advisor may recommend employing cash positions as a possible hedge against market movement. Capital Design may recommend selling positions for reasons that include, but are not limited to, harvesting capital gains or losses, business or sector risk exposure to a specific security or class of securities, overvaluation or overweighting of the position[s] in the portfolio, change in risk tolerance of Client, generating cash to meet the Client needs, or any risk deemed unacceptable for the Client’s risk tolerance. Clients who have 55ip as an outside portfolio will have investments selection and allocation performed by the outside manager. Capital Design monitors and reviews all selections and allocations before implementing the portfolio for adherence to Capital Design investment guidelines.

At no time will Capital Design accept or maintain custody of a Client’s funds or securities. All Client assets will be managed within the designated account[s] at the Custodian, pursuant to the terms of the agreement. Please see Item 12 – Brokerage Practices and Item 15 - Custody.

**Financial Planning Services** Capital Design will typically provide a variety of financial planning and consulting services to Clients, pursuant to a written financial planning agreement. Services are offered in several areas of a Client’s financial situation, depending on their goals, objectives and financial circumstances.

Generally, such financial planning services involve preparing a formal financial plan or rendering a specific financial consultation based on the Client's financial goals and objectives. This planning or consulting may encompass one or more areas of need, including but not limited to, investment planning, retirement planning, personal savings, education savings insurance needs and other areas of a Client's financial situation.

A financial plan developed for, or financial consultation rendered to the Client will usually include general recommendations for a course of activity or specific actions to be taken by the Client. For example, recommendations may be made that the Client start or revise their investment programs, commence or alter retirement savings, establish education savings and/or charitable giving programs.

Capital Design may also refer Clients to an accountant, attorney or other specialists, as appropriate for their unique situation. For certain financial planning engagements, the Advisor will provide a written summary of the Client's financial situation, observations, and recommendations. For consulting or ad-hoc engagements, the Advisor may not provide a written summary. Plans or consultations are typically completed within six (6) months of contract date, assuming all information and documents requested are provided promptly.

Financial planning and consulting recommendations may pose a conflict between the interests of the Advisor and the interests of the Client. For example, a recommendation to engage the Advisor for investment management services or to increase the level of investment assets with the Advisor would pose a conflict, as it would increase the advisory fees paid to the Advisor. Clients are not obligated to implement any recommendations made by the Advisor or maintain an ongoing relationship with the Advisor. If the Client elects to act on any of the recommendations made by the Advisor, the Client is under no obligation to execute the transaction through the Advisor.

**C. Client Account Management** Prior to engaging Capital Design to provide investment advisory services, each Client is required to enter into one or more agreements with the Advisor that define the terms, conditions, authority and responsibilities of the Advisor and the Client. These services may include:

- Establishing an Investment Strategy – Capital Design, in connection with the Client, will develop a strategy that seeks to achieve the Client's goals and objectives.
- Asset Allocation – Capital Design will develop a strategic asset allocation that is targeted to meet the investment objectives, time horizon, financial situation and tolerance of risk for each Client.
- Portfolio Construction – Capital Design will develop a portfolio for the Client that is intended to meet the stated goals and objectives of the Client. Capital Design can and does on occasion outsource Portfolio Construction to model portfolio manager 55ip.
- Investment Management and Supervision – Capital Design will provide investment management and ongoing oversight of the Client's investment portfolio. Capital Design can and does on occasion outsource Investment Management to model portfolio manager 55ip. Capital Design oversees and supervises all portfolios managed internally or outside of the firm
- Financial Planning – Capital Design provides ongoing financial planning services to assist Clients in meeting their financial goals.

**D. Wrap Fee Programs** Capital Design does not manage or place Client assets into a wrap fee program. Investment management services are provided directly by Capital Design.

**E. Assets Under Management** Capital Design has \$131,800,000 discretionary assets under management to report as of December 31, 2023. Clients may request more current information at any time by contacting the Advisor.

## Item 5 – Fees and Compensation

The following paragraphs detail the fee structure and compensation methodology for services provided by the Advisor. Each Client engaging the Advisor for services described herein shall be required to enter into a written agreement with the Advisor.

**A. Fees for Advisory Services** Investment Management Services Investment advisory fees are paid monthly, in advance, pursuant to the terms of the agreement. Investment advisory fees are based on the market value of assets under management at the end of the prior calendar month. Investment advisory fees range from 1.50% to 0.50% annually based on several factors, including: the complexity of the services to be provided, the level of assets to be managed, and the overall relationship with the Advisor. Relationships with multiple objectives, specific reporting requirements, portfolio restrictions and other complexities may be charged a higher fee.

The investment advisory fee in the first month of service is prorated from the inception date of the account[s] to the end of the first month. Fees may be negotiable at the sole discretion of the Advisor. The Client's fees will take into consideration the aggregate assets under management with the Advisor. All securities held in accounts managed by Capital Design will be independently valued by the Custodian. Capital Design will not have the authority or responsibility to value portfolio securities.

The Advisor's fee is exclusive of, and in addition to, brokerage fees, transaction fees, and other related costs and expenses, which may be incurred by the Client. However, the Advisor shall not receive any portion of these commissions, fees, and costs.

Financial Planning Services Capital Design offers financial planning services through an ongoing annual retainer or fixed fee engagement. Ongoing planning engagements may be offered at a fixed annual fee range of \$900 - \$5,000 billed monthly in advance. An estimate for fixed fee engagements will be provided to the Client prior to engaging for these services. Fees may be negotiable based on the nature and complexity of the services to be provided and the overall relationship with the Advisor.

**B. Fee Billing** Investment Management Services Investment advisory fees are calculated by the Advisor or its delegate and deducted from the Client's account[s] at the Custodian. The Advisor shall send an invoice to the Custodian indicating the amount of the fees to be deducted from the Client's account[s] at the beginning of the respective month. The amount due is calculated by applying the monthly rate (annual rate divided by (12) to the total assets under management with Capital Design at the end of the prior month. Clients will be provided with a statement, at least quarterly, from the Custodian reflecting deduction of the investment advisory fee. In addition, the Advisor will provide the Client a report itemizing the fee, including the calculation period covered by the fee, the account value and the methodology used to calculate the fee. It is the responsibility of the Client to verify the accuracy of these fees as listed on the Custodian's brokerage statement as the Custodian does not assume this responsibility. Clients provide written authorization permitting Capital Design to be paid directly from their account[s] held by the Custodian as part of the investment advisory agreement and separate account forms provided by the Custodian.

Financial Planning Services Financial Planning fees for ongoing planning engagements are invoiced monthly in advance as part of the financial planning agreement. Financial Planning fees for fixed fee engagements are invoiced up to fifty percent (50%) of the expected total fee upon execution of the financial planning agreement. The balance shall be invoiced upon completion of the agreed upon deliverable[s]. The Advisor will invoice Clients directly for its financial planning services.

**C. Other Fees and Expenses** Clients may incur certain fees or charges imposed by third parties, other than Capital Design, in connection with investments made on behalf of the Client's account[s]. The Client is responsible for all custody and securities execution fees charged by the Custodian. The fees charged by Capital Design are separate and distinct from these custody and execution fees.

In addition, all fees paid to Capital Design for investment advisory services are separate and distinct from the expenses charged by mutual funds and ETFs to their shareholders, if applicable. These fees and expenses are described in each fund's prospectus. These fees and expenses will generally be used to pay management fees for the

funds, other fund expenses, account administration (e.g., custody, brokerage and account reporting), and a possible distribution fee. A Client could invest in these products directly, without the services of Capital Design, but would not receive the services provided by Capital Design which are designed, among other things, to assist the Client in determining which products or services are most appropriate for each Client's financial situation and objectives. Accordingly, the Client should review both the fees charged by the fund[s] and the fees charged by Capital Design to fully understand the total fees to be paid. Please refer to "Item 12 – Brokerage Practices" for additional information.

**D. Advance Payment of Fees and Termination** Investment Management Services Capital Design is compensated for its services in advance of the month in which investment advisory services are rendered. Either party may terminate the investment advisory agreement, at any time, by providing advance written notice to the other party. The Client may also terminate the investment advisory agreement within five (5) business days of signing the Advisor's agreement at no cost to the Client. After the five-day period, the Client will incur charges for bona fide advisory services rendered to the point of termination and such fees will be due and payable by the Client. The Advisor will refund any unearned, prepaid investment advisory fees from the effective date of termination to the end of the month. The Client's investment advisory agreement with the Advisor is non-transferable without the Client's prior written consent. .

Financial Planning Services Capital Design requires an advance deposit as described above. Either party may terminate the financial planning agreement by providing advance written notice to the other party. The Client may also terminate the financial planning agreement within five (5) business days of signing the Advisor's agreement at no cost to the Client. After the five-day period, the Client will incur charges for bona fide advisory services rendered to the point of termination and such fees will be due and payable by the Client. Upon termination, the Client shall be billed for the percentage of the engagement scope completed by the Advisor. The Advisor will refund any unearned, prepaid planning fees from the effective date of termination. The Client's financial planning agreement with the Advisor is non-transferable without the Client's prior written consent.

**E. Compensation for Sales of Securities** Capital Design does not buy or sell securities to earn commissions and does not receive any compensation for securities transactions in any Client account, other than the investment advisory fees noted above.

## **Item 6 – Performance-Based Fees and Side-By-Side Management**

Capital Design does not charge performance-based fees for its investment advisory services. The fees charged by Capital Design are as described in Item 5 above and are not based upon the capital appreciation of the funds or securities held by any Client.

Capital Design does not manage any proprietary investment funds or limited partnerships (for example, a mutual fund or a hedge fund) and has no financial incentive to recommend any particular investment options to its Clients.

## **Item 7 – Types of Clients**

Capital Design offers investment advisory services to individuals, high net worth individuals, trusts, estates and retirement plans in State of New Hampshire and other states. The amount of each type of Client is available on Capital Design's Form ADV Part 1A. These amounts may change over time and are updated at least annually by the Advisor. Capital Design generally does not impose a minimum relationship size.

## **Item 8 – Methods of Analysis, Investment Strategies and Risk of Loss**

**A. Methods of Analysis** Capital Design primarily employs fundamental, technical and cyclical analysis methods in developing investment strategies for its Clients. Research and analysis from Capital Design are derived from numerous sources, including financial media companies, third-party research materials, Internet sources, and review of company activities, including annual reports, prospectuses, press releases and research prepared by others.

*Fundamental analysis* utilizes economic and business indicators as investment selection criteria. This criteria consists generally of ratios and trends that may indicate the overall strength and financial viability of the entity being analyzed. Assets are deemed suitable if they meet certain criteria to indicate that they are a strong investment with a value discounted by the market. While this type of analysis helps the Advisor in evaluating a potential investment, it does not guarantee that the investment will increase in value. Assets meeting the investment criteria utilized in the fundamental analysis may lose value and may have negative investment performance. The Advisor monitors these economic indicators to determine if adjustments to strategic allocations are appropriate. More details on the Advisor's review process are included below in Item 13 – Review of Accounts.

*Technical analysis* involves the analysis of past market data rather than specific company data in determining the recommendations made to clients. Technical analysis may involve the use of charts to identify market patterns and trends, which may be based on investor sentiment rather than the fundamentals of the company. The primary risk in using technical analysis is that spotting historical trends may not help to predict such trends in the future. Even if the trend will eventually reoccur, there is no guarantee that Capital Design will be able to accurately predict such a reoccurrence.

*Cyclical analysis* is similar to technical analysis in that it involves the analysis of market conditions at a macro (entire market/economy) or micro (company specific) level, rather than the overall fundamental analysis of the health of the particular company that Capital Design is recommending. The risks with cyclical analysis are similar to those of technical analysis.

As noted above, Capital Design generally employs a long-term investment strategy for its Clients, as consistent with their financial goals. Capital Design will typically hold all or a portion of a security for more than a year, but may hold for shorter periods for the purpose of rebalancing a portfolio or meeting the cash needs of Clients. At times, Capital Design may also buy and sell positions that are more short-term in nature, depending on the goals of the Client and/or the fundamentals of the security, sector or asset class.

**B. Risk of Loss** Investing in securities involves certain investment risks. Securities may fluctuate in value or lose value. Clients should be prepared to bear the potential risk of loss. Capital Design will assist Clients in determining an appropriate strategy based on their tolerance for risk and other factors noted above. However, there is no guarantee that a Client will meet their investment goals.

While the methods of analysis help the Advisor in evaluating a potential investment, it does not guarantee that the investment will increase in value. Assets meeting the investment criteria utilized in these methods of analysis may lose value and may have negative investment performance. The Advisor monitors these economic indicators to determine if adjustments to strategic allocations are appropriate. More details on the Advisor's review process are included below in "Item 13 – Review of Accounts".

Each Client engagement will entail a review of the Client's investment goals, financial situation, time horizon, tolerance for risk and other factors to develop an appropriate strategy for managing a Client's account. Client participation in this process, including full and accurate disclosure of requested information, is essential for the analysis of a Client's account. The Advisor shall rely on the financial and other information provided by the Client or their designees without the duty or obligation to validate the accuracy and completeness of the provided information. It is the responsibility of the Client to inform the Advisor of any changes in financial condition, goals or other factors that may affect this analysis.

The risks associated with a particular strategy are provided to each Client in advance of investing Client accounts. The Advisor will work with each Client to determine their tolerance for risk as part of the portfolio construction process. The following are some of the risks associated with certain components of the Advisor's strategy:

**ETF Risks** The performance of ETFs is subject to market risk, including the possible loss of principal. The price of the ETFs will fluctuate with the price of the underlying securities that make up the funds. In addition, ETFs have a trading risk based on the loss of cost efficiency if the ETFs are traded actively and a liquidity risk if the ETFs has a large bid-ask spread and low trading volume. The price of an ETF fluctuates based upon the market movements and may dissociate from the index being tracked by the ETF or the price of the underlying investments. An ETF purchased or sold at one point in the day may have a different price than the same ETF purchased or sold a short time later.



**Mutual Fund Risks** The performance of mutual funds is subject to market risk, including the possible loss of principal. The price of the mutual funds will fluctuate with the value of the underlying securities that make up the funds. The price of a mutual fund is typically set daily therefore a mutual fund purchased at one point in the day will typically have the same price as a mutual fund purchased later that same day.

**Past performance is not a guarantee of future returns. Investing in securities and other investments involve a risk of loss that each Client should understand and be willing to bear. Clients are reminded to discuss these risks with the Advisor.**

## **Item 9 – Disciplinary Information**

**There are no legal, regulatory or disciplinary events involving Capital Design or any of its Supervised Persons.** Capital Design values the trust you place in us. As we advise all Clients, we encourage you to perform the requisite due diligence on any advisor or service provider with whom you partner. Our backgrounds are available on the Investment Adviser Public Disclosure website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) by searching with our firm name or our CRD# 300472.

In addition, Clients may also obtain information relating to the disciplinary history of any investment advisor representative conducting business in Massachusetts by contacting the Commonwealth of Massachusetts Securities Division at (617) 727-3548.

## **Item 10 – Other Financial Industry Activities and Affiliations**

No Capital Design employee is registered, or have an application pending to register, as a broker-dealer or a registered representative of a broker-dealer.

No Capital Design employee is registered, or have an application pending to register, as a futures commission merchant, commodity pool operator or a commodity trading advisor.

Capital Design does not have any related parties. As a result, we do not have a relationship with any related parties.

Capital Design only receives compensation directly from Clients. We do not receive compensation from any outside source. We do not have any conflicts of interest with any outside party.

## **Item 11 – Code of Ethics, Participation or Interest in Client Transactions and Personal Trading**

**A. Code of Ethics** Capital Design has implemented a Code of Ethics (the “Code”) that defines our fiduciary commitment to each Client. This Code applies to all persons associated with Capital Design (our “Supervised Persons”). The Code was developed to provide general ethical guidelines and specific instructions regarding our duties to you, our Client. Capital Design and its Supervised Persons owe a duty of loyalty, fairness and good faith towards each Client. It is the obligation of Capital Design’s Supervised Persons to adhere not only to the specific provisions of the Code, but also to the general principles that guide the Code. The Code covers a range of topics that address employee ethics and conflicts of interest. To request a copy of our Code, please contact us at (603) 534-2089 or via email at [info@capitaldesignpw.com](mailto:info@capitaldesignpw.com).

**B. Personal Trading with Material Interest** Capital Design allows our Supervised Persons to purchase or sell the same securities that may be recommended to and purchased on behalf of Clients. Capital Design does not act as principal in any transactions. In addition, the Advisor does not act as the general partner of a fund, or advise an investment company. Capital Design does not have a material interest in any securities traded in Client accounts.

**C. Personal Trading in Same Securities as Clients** Capital Design allows our Supervised Persons to purchase or sell the same securities that may be recommended to and purchased on behalf of Clients. Owning the same securities we recommend (purchase or sell) to you presents a conflict of interest that, as fiduciaries, we must disclose to you and mitigate through policies and procedures. As noted above, we have adopted the Code to address insider trading

(material non-public information controls); gifts and entertainment; outside business activities and personal securities reporting. When trading for personal accounts, Supervised Persons may have a conflict of interest if trading in the same securities. The fiduciary duty to act in the best interest of its Clients can potentially be violated if personal trades are made with more advantageous terms than Client trades, or by trading based on material non-public information. This risk is mitigated by Capital Design requiring reporting of personal securities trades by its Supervised Persons for review by the Chief Compliance Officer ("CCO") or delegate. We have also adopted written policies and procedures to detect the misuse of material, non-public information.

**D. Personal Trading at Same Time as Client** While Capital Design allows our Supervised Persons to purchase or sell the same securities that may be recommended to and purchased on behalf of Clients, such trades are typically aggregated with Client orders or traded afterwards. **At no time will Capital Design, or any Supervised Person of Capital Design, transact in any security to the detriment of any Client.**

## **Item 12 – Brokerage Practices**

**A. Recommendation of Custodian[s]** Capital Design does not have discretionary authority to select the broker-dealer/custodian for custody and execution services. The Client will engage the broker-dealer/custodian (herein the "Custodian") to safeguard Client assets and authorize Capital Design to direct trades to the Custodian as agreed upon in the investment advisory agreement. Further, Capital Design does not have the discretionary authority to negotiate commissions on behalf of our Clients on a trade-by-trade basis.

The Advisor participates in the TD Ameritrade Institutional program. TD Ameritrade Institutional is a division of TD Ameritrade, Inc. ("TD Ameritrade"), member FINRA/SIPC. TD Ameritrade is an independent and unaffiliated SEC-registered broker-dealer. TD Ameritrade offers to independent investment Advisors services, which include custody of securities, trade execution, clearance and settlement of transactions. Advisor receives some benefits from TD Ameritrade through its participation in the program. (Please see the disclosure under Item 14 below.)

Following are additional details regarding the brokerage practices of the Advisor:

**1. Soft Dollars** - Soft dollars are revenue programs offered by broker-dealers/custodians whereby an advisor enters into an agreement to place security trades with a broker-dealers/custodian in exchange for research and other services. **Capital Design does not participate in soft dollar programs sponsored or offered by any broker-dealer/custodian. However, the Advisor receives certain economic benefits from the Custodian. Please see Item 14.**

**2. Brokerage Referrals** - Capital Design does not receive any compensation from any third party in connection with the recommendation for establishing an account.

**3. Directed Brokerage** - All Clients are serviced on a "directed brokerage basis", where Capital Design will place trades within the established account[s] at the Custodian designated by the Client. Further, all Client accounts are traded within their respective account[s]. The Advisor will not engage in any principal transactions (i.e., trade of any security from or to the Advisor's own account) or cross transactions with other Client accounts (i.e., purchase of a security into one Client account from another Client's account[s]). Capital Design will not be obligated to select competitive bids on securities transactions and does not have an obligation to seek the lowest available transaction costs. These costs are determined by the designated Custodian. The Advisor may not be able to aggregate orders to reduce transaction costs in a Client directed brokerage account.

**B. Aggregating and Allocating Trades** The primary objective in placing orders for the purchase and sale of securities for Client accounts is to obtain the most favorable net results taking into account such factors as 1) price, 2) size of order, 3) difficulty of execution, 4) confidentiality and 5) skill required of the Custodian. Capital Design will execute its transactions through the Custodian as authorized by the Client. Capital Design may aggregate orders in a block trade or trades when securities are purchased or sold through the same broker-dealer for multiple (discretionary) accounts in the same trading day. If a block trade cannot be executed in full at the same price or time, the securities actually purchased or sold by the close of each business day must be allocated in a manner that is consistent with the initial

pre- allocation or other written statement. This must be done in a way that does not consistently advantage or disadvantage any particular Client accounts.

## **Item 13 – Review of Accounts**

**A. Frequency of Reviews** Securities in Client accounts are monitored on a regular and continuous basis by Andre LaPlante, Chief Compliance Officer of Capital Design. Formal reviews are generally conducted at least annually or more frequently depending on the needs of the Client.

**B. Causes for Reviews** In addition to the investment monitoring noted in Item 13.A., each Client account shall be reviewed at least annually. Reviews may be conducted more frequently at the Client's request. Accounts may be reviewed as a result of major changes in economic conditions, known changes in the Client's financial situation, and/or large deposits or withdrawals in the Client's account[s]. The Client is encouraged to notify Capital Design if changes occur in the Client's personal financial situation that might adversely affect the Client's investment plan. Additional reviews may be triggered by material market, economic or political events.

**C. Review Reports** The Client will receive brokerage statements no less than quarterly from the Custodian. These brokerage statements are sent directly from the Custodian to the Client. The Client may also establish electronic access to the Custodian's website so that the Client may view these reports and their account activity. Clients brokerage statements will include all positions, transactions and fees relating to the Client's account[s]. The Advisor may also provide Clients with periodic reports regarding their holdings, allocations, and performance.

## **Item 14 – Client Referrals and Other Compensation**

**A. Compensation Received by Capital Design** Capital Design does not receive commissions or other compensation from product sponsors, broker-dealers or any un-related third party. Capital Design may refer Clients to various unaffiliated, non-advisory professionals (e.g. attorneys, accountants, estate planners) to provide certain financial services necessary to meet the goals of its Clients. Likewise, Capital Design may receive non-compensated referrals of new Clients from various third-parties.

Participation in Institutional Advisor Platform As disclosed under Item 12, above, the Advisor participates in TD Ameritrade's institutional customer program and the Advisor may recommend TD Ameritrade to Clients for custody and brokerage services. There is no direct link between the Advisor's participation in the program and the investment advice it gives to its Clients, although the Advisor receives economic benefits through its participation in the program that are typically not available to TD Ameritrade retail investors. These benefits include the following products and services (provided without cost or at a discount): receipt of duplicate Client statements and confirmations; research related products and tools; consulting services; access to a trading desk serving the Advisor participants; access to block trading (which provides the ability to aggregate securities transactions for execution and then allocate the appropriate shares to Client accounts); the ability to have advisory fees deducted directly from Client accounts; access to an electronic communications network for Client order entry and account information; access to mutual funds with no transaction fees and to certain institutional money managers; and discounts on compliance, marketing, research, technology, and practice management products or services provided to the Advisor by third party vendors. TD Ameritrade may also have paid for business consulting and professional services received by the Advisor's related persons. Some of the products and services made available by TD Ameritrade through the program may benefit the Advisor but may not benefit its Client accounts. These products or services may assist the Advisor in managing and administering Client accounts, including accounts not maintained at TD Ameritrade. Other services made available by TD Ameritrade are intended to help the Advisor manage and further develop its business enterprise. The benefits received by the Advisor or its personnel through participation in the program do not depend on the amount of brokerage transactions directed to TD Ameritrade. As part of its fiduciary duties to clients, the Advisor endeavors at all times to put the interests of its clients first. Clients should be aware, however, that the receipt of economic benefits by the Advisor or its related persons in and of itself creates a potential conflict of interest and may indirectly influence the Advisor's choice of TD Ameritrade for custody and brokerage services.

**B. Client Referrals from Solicitors** Capital Design does not engage paid solicitors for Client referrals.

## **Item 15 – Custody**

Capital Design does not accept or maintain custody of any Client accounts, except for the authorized deduction of the Advisor's fees. All Clients must place their assets with a "qualified custodian". Clients are required to engage the Custodian to retain their funds and securities and direct Capital Design to utilize that Custodian for the Client's security transactions. Clients should review statements provided by the Custodian and compare to any reports provided by Capital Design to ensure accuracy, as the Custodian does not perform this review. For more information about custodians and brokerage practices, see Item 12 - Brokerage Practices.

## **Item 16 – Investment Discretion**

Capital Design generally has discretion over the selection and amount of securities to be bought or sold in Client accounts without obtaining prior consent or approval from the Client. However, these purchases or sales may be subject to specified investment objectives, guidelines, or limitations previously set forth by the Client and agreed to by Capital Design. Discretionary authority will only be authorized upon full disclosure to the Client. The granting of such authority will be evidenced by the Client's execution of an investment advisory agreement containing all applicable limitations to such authority. All discretionary trades made by Capital Design will be in accordance with each Client's investment objectives and goals.

## **Item 17 – Voting Client Securities**

Capital Design does not accept proxy-voting responsibility for any Client. Clients will receive proxy statements directly from the Custodian. The Advisor will assist in answering questions relating to proxies, however, the Client retains the sole responsibility for proxy decisions and voting.

## **Item 18 – Financial Information**

Neither Capital Design, nor its management, have any adverse financial situations that would reasonably impair the ability of Capital Design to meet all obligations to its Clients. Neither Capital Design, nor any of its Advisory Persons, has been subject to a bankruptcy or financial compromise. Capital Design is not required to deliver a balance sheet along with this Disclosure Brochure as the Advisor does not collect advance fees of \$1,200 or more for services to be performed six months or more in the future.

## **Item 19 - Privacy Policy**

Effective: January 30, 2019

**Our Commitment to You** Capital Design Private Wealth LLC ("Capital Design" or the "Advisor") is committed to safeguarding the use of personal information of our Clients (also referred to as "you" and "your") that we obtain as your Investment Advisor, as described here in our Privacy Policy ("Policy"). Our relationship with you is our most important asset. We understand that you have entrusted us with your private information, and we do everything that we can to maintain that trust. Capital Design (also referred to as "we", "our" and "us") protects the security and confidentiality of the personal information we have and implements controls to ensure that such information is used for proper business purposes in connection with the management or servicing of our relationship with you.

Capital Design does not sell your non-public personal information to anyone. Nor do we provide such information to others except for discrete and reasonable business purposes in connection with the servicing and management of our relationship with you, as discussed below.

Details of our approach to privacy and how your personal non-public information is collected and used are set forth in this Policy.

**Why you need to know?** Registered Investment Advisors (“RIAs”) must share some of your personal information in the course of servicing your account. Federal and State laws give you the right to limit some of this sharing and require RIAs to disclose how we collect, share, and protect your personal information.

**What information do we collect from you?**

Driver’s license number Date of birth, Social security or taxpayer identification number, Assets and liabilities, Name, address and phone number(s), Income and expenses, E-mail address(es), Investment activity Account information (including other institutions), Investment experience and goals.

**What information do we collect from other sources?**

Custody, brokerage and advisory agreements, Account applications and forms, Other advisory agreements, and legal documents, Investment questionnaires and suitability documents, Transactional information with us or others, Other information needed to service account.

**How do we protect your information?** To safeguard your personal information from unauthorized access and use we maintain physical, procedural and electronic security measures. These include such safeguards as secure passwords, encrypted file storage and a secure office environment. Our technology vendors provide security and access control over personal information and have policies over the transmission of data. Our associates are trained on their responsibilities to protect Client’s personal information.

We require third parties that assist in providing our services to you to protect the personal information they receive from us.

**How do we share your information?** An RIA shares Client personal information to effectively implement its services. In the section below, we list some reasons we may share your personal information.

**Servicing our Clients** We may share non-public personal information with non-affiliated third parties

(such as administrators, brokers, custodians, regulators, credit agencies, other financial institutions) as necessary for us to provide agreed upon services to you, consistent with applicable law, including but not limited to: processing transactions; general account maintenance; responding to regulators or legal investigations; and credit reporting.

Yes No

**Marketing Purposes** Capital Design does not disclose, and does not intend to disclose, personal information with non-affiliated third parties to offer you services. Certain laws may give us the right to share your personal information with financial institutions where you are a customer and where Capital Design or the client has a formal agreement with the financial institution.

**We will only share information for purposes of servicing your accounts, not for marketing purposes.**

No Not Shared

**Authorized Users** Your non-public personal information may be disclosed to you and persons that we believe to be your authorized agent(s) or representative(s).

**Information About Former Clients** Capital Design does not disclose and does not intend to disclose, non- public personal information to non-affiliated third parties with respect to persons who are no longer our Clients.

**State-specific Regulations****Massachusetts**

In response to a Massachusetts law, clients must “opt-in” to share non-public personal information with non-affiliated third parties before any personal information is disclosed. We may disclose non-public personal information to other financial institutions with whom we have joint business arrangements for proper business purposes in connection with the management or servicing of your account.

**Changes to our Privacy Policy** We will send you a copy of this Policy annually for as long as you maintain an ongoing relationship with us.

Periodically we may revise this Policy and will provide you with a revised Policy if the changes materially alter the previous Privacy Policy. We will not, however, revise our Privacy Policy to permit the sharing of non-public personal information other than as described in this notice unless we first notify you and provide you with an opportunity to prevent the information sharing.

**Any Questions?** You may ask questions or voice any concerns, as well as obtain a copy of our current Privacy Policy by contacting us at (603) 534-2089 or via email at [info@capitaldesignpw.com](mailto:info@capitaldesignpw.com).

## **Form ADV Part 2B – Brochure**

### **Supplement for**

**Andre N. LaPlante  
Partner and Chief Compliance Officer**

**Effective: March 8, 2024**

This Form ADV 2B (“Brochure Supplement”) provides information about the background and qualifications of Andre N. LaPlante (CRD# 5781133) in addition to the information contained in the Capital Design Private Wealth LLC (“Capital Design” or the “Advisor”, CRD# 300472) Disclosure Brochure. If you have not received a copy of the Disclosure Brochure or if you have any questions about the contents of the Capital Design Disclosure Brochure or this Brochure Supplement, please contact us at 603-610-8250 or by email at [info@capitaldesignpw.com](mailto:info@capitaldesignpw.com).

Additional information about Mr. LaPlante is available on the SEC’s Investment Adviser Public Disclosure website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) by searching with his full name or his Individual CRD# 5781133.

## Item 2 – Educational Background and Business Experience

Andre N. LaPlante, born in 1985, is dedicated to advising Clients of Capital Design as a Partner and Chief Compliance Officer. Mr. LaPlante earned a Master's in Business Administration from Arizona State University in 2015. Mr. LaPlante earned a Bachelor's in Economics from University of Maine in 2008. Additional information regarding Mr. LaPlante's employment history is included below.

### Employment History:

Partner and Chief Compliance Officer, Capital Design Private Wealth LLC02/2019 to Present
Financial Advisor, Roger A. Auger & Associates 03/2015 to 02/2019
Unemployed 11/2014 to 03/2015
Account Executive, Fidelity Investments 04/2010 to 11/2014

## Item 3 – Disciplinary Information

***There are no legal, civil or disciplinary events to disclose regarding Mr. LaPlante.*** Mr. LaPlante has never been involved in any regulatory, civil or criminal action. There have been no client complaints, lawsuits, arbitration claims or administrative proceedings against Mr. LaPlante.

Securities laws require an advisor to disclose any instances where the advisor or its advisory persons have been found liable in a legal, regulatory, civil or arbitration matter that alleges violation of securities and other statutes; fraud; false statements or omissions; theft, embezzlement or wrongful taking of property; bribery, forgery, counterfeiting, or extortion; and/or dishonest, unfair or unethical practices. ***As previously noted, there are no legal, civil or disciplinary events to disclose regarding Mr. LaPlante.***

However, we do encourage you to independently view the background of Mr. LaPlante on the Investment Adviser Public Disclosure website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) by searching with his full name or his Individual CRD# 5781133.

## Item 4 – Other Business Activities

Insurance Agency Affiliations  
Mr. LaPlante has no outside business activities.

## Item 5 – Additional Compensation

Mr. LaPlante receives no additional compensation from outside business activities.

## Item 6 – Supervision

Mr. LaPlante serves as a Partner and Chief Compliance Officer of Capital Design and is supervised by Hilton Kelly, Owner. Mr. Kelly can be reached at (603) 610-8250.

Capital Design has implemented a Code of Ethics, an internal compliance document that guides each Supervised Person in meeting their fiduciary obligations to Clients of Capital Design. Further, Capital Design is subject to regulatory oversight by various agencies. These agencies require registration by



Capital Design and its Supervised Persons. As a registered entity, Capital Design is subject to examinations by regulators, which may be announced or unannounced. Capital Design is required to periodically update the information provided to these agencies and to provide various reports regarding the business activities and assets of the Advisor.

## **Form ADV Part 2B – Brochure Supplement for**

**Hilton J. Kelly  
Partner**

**Effective: March 8, 2024**

This Form ADV 2B ("Brochure Supplement") provides information about the background and qualifications of Hilton J. Kelly (CRD# 4303042) in addition to the information contained in the Capital

Design Private Wealth LLC (“Capital Design” or the “Advisor”, CRD# 300472) Disclosure Brochure. If you have not received a copy of the Disclosure Brochure or if you have any questions about the contents of the Capital Design Disclosure Brochure or this Brochure Supplement, please contact us at (603) 610-8250 or by email at [info@capitaldesignpw.com](mailto:info@capitaldesignpw.com).

Additional information about Mr. Kelly is available on the SEC’s Investment Adviser Public Disclosure website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) by searching with his full name or his Individual CRD# 4303042.

## Item 2 – Educational Background and Business Experience

Hilton J. Kelly, born in 1971, is dedicated to advising Clients of Capital Design as s Partner. Additional information regarding Mr. Kelly's employment history is included below.

### Employment History:

Partner, Capital Design Private Wealth LLC	02/2019 to Present
Financial Advisor, Roger A. Auger & Associates	02/2005 to 02/2019
Financial Advisor, Ameriprise Financial, Inc.	04/2000 to 02/2005

## Item 3 – Disciplinary Information

***There are no legal, civil or disciplinary events to disclose regarding Mr. Kelly.*** Mr. Kelly has never been involved in any regulatory, civil or criminal action. There have been no client complaints, lawsuits, arbitration claims or administrative proceedings against Mr. Kelly.

Securities laws require an advisor to disclose any instances where the advisor or its advisory persons have been found liable in a legal, regulatory, civil or arbitration matter that alleges violation of securities and other statutes; fraud; false statements or omissions; theft, embezzlement or wrongful taking of property; bribery, forgery, counterfeiting, or extortion; and/or dishonest, unfair or unethical practices. ***As previously noted, there are no legal, civil or disciplinary events to disclose regarding Mr. Kelly.***

However, we do encourage you to independently view the background of Mr. Kelly on the Investment Adviser Public Disclosure website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) by searching with his full name or his Individual CRD# 4303042.

## Item 4 – Other Business Activities

Mr. Kelly has no outside business activities

## Item 5 – Additional Compensation

Mr. Kelly receives no additional compensation from outside business activities.

## Item 6 – Supervision

Mr. Kelly serves as a Partner of Capital Design and is supervised by Andre LaPlante, the Chief Compliance Officer. Andre LaPlante can be reached at (603) 610-8250.

Capital Design has implemented a Code of Ethics, an internal compliance document that guides each Supervised Person in meeting their fiduciary obligations to Clients of Capital Design. Further, Capital Design is subject to regulatory oversight by various agencies. These agencies require registration by Capital Design and its Supervised Persons. As a registered entity, Capital Design is subject to examinations by regulators, which may be announced or unannounced. Capital Design is required to periodically update the information provided to these agencies and to provide various reports regarding the business activities and assets of the Advisor.

**Form ADV Part 2B – Brochure**

**Supplement for**

**Nicholas Drew**  
**Partner**

**Effective: March 8, 2024**

This Form ADV 2B ("Brochure Supplement") provides information about the background and qualifications of Nicholas Drew (CRD# 5672296) in addition to the information contained in the Capital Design Private Wealth LLC ("Capital Design" or the "Advisor", CRD# 300472) Disclosure Brochure. If you have not received a copy of the Disclosure Brochure or if you have any questions about the contents of the Capital Design Disclosure Brochure or this Brochure Supplement, please contact us at (603) 610- 8250 or by email at [info@capitaldesignpw.com](mailto:info@capitaldesignpw.com).

Additional information about Mr. Drew is available on the SEC's Investment Adviser Public Disclosure website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) by searching with his full name or his Individual CRD# 5672296.

## **Item 2 – Educational Background and Business Experience**

Nicholas Drew, born in 1987, is dedicated to advising Clients of Capital Design as s Partner. Additional information regarding Mr. Drew's employment history is included below.

### **Employment History:**

Partner, Capital Design Private Wealth LLC 06/2021 to Present

Financial Advisor, Fidelity Personal and Workplace Advisors 07/2018 to  
06/2021

Financial Representative, Fidelity Brokerage Services 05/2011 to 06/2021

Financial Advisor, Edward Jones 05/2009 to 04/2011

## **Item 3 – Disciplinary Information**

Mr. Drew has never been involved in any arbitration claim of any kind or been found liable in a civil, self regulatory organization, or administrative proceeding.

However, we do encourage you to independently view the background of Mr. Drew on the Investment Adviser Public Disclosure website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov) by searching with his full name or his Individual CRD# 5672296.

## **Item 4 – Other Business Activities**

Mr. Drew has no outside business activities

## **Item 5 – Additional Compensation**

Mr. Drew receives no additional compensation from outside business activities.

## **Item 6 – Supervision**

Mr. Drew is supervised by Andre LaPlante, the Chief Compliance Officer. Andre LaPlante can be reached at (603) 610-8250.

Capital Design has implemented a Code of Ethics, an internal compliance document that guides each Supervised Person in meeting their fiduciary obligations to Clients of Capital Design. Further, Capital Design is subject to regulatory oversight by various agencies. These agencies require registration by Capital Design and its Supervised Persons. As a registered entity, Capital Design is subject to examinations by regulators, which may be announced or unannounced. Capital Design is required to periodically update the information provided to these agencies and to provide various reports regarding the business activities and assets of the Advisor.