

## **Item 1 – Cover Page**

### **Pinkerton Retirement Specialists, LLC**

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208-667-8998

<http://www.pinkertonretirement.com/>

Date of Brochure: March 2011

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This brochure provides information about the qualifications and business practices of Pinkerton Retirement Specialists, LLC. If you have any questions about the contents of this brochure, please contact us at 208-667-8998. The information in this brochure has not been approved or verified by the United States Securities and Exchange Commission or by any state securities authority.

Additional information about Pinkerton Retirement Specialists is also available on the Internet at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov). You can view Pinkerton Retirement Specialists information on this website by searching for Pinkerton Retirement Specialists, LLC. You may search for information by using the firm's name or by using the firm's CRD number. The CRD number for Pinkerton Retirement Specialists, LLC is 120973.

\*Registration as an investment advisor does not imply a certain level of skill or training.

## **Item 2 – Material Changes**

On July 28, 2010, the United States Securities and Exchange Commission published “Amendments to Form ADV” which amends the disclosure document that we provide to clients as required by applicable rules and regulations. This Disclosure Brochure dated March 2011 is a new document prepared according to the new requirements and rules. As such, this document is materially different in structure and requires certain new information that our previous Form ADV Part II and Schedule F did not require. In the future, this item will discuss only specific material changes that are made to the Disclosure Brochure and provide readers with a summary of such changes. We will also reference the date of the last annual update of the brochure.

Pursuant to new rules, we will ensure that you receive a summary of any material changes to this and subsequent Disclosure Brochures within 120 days after our fiscal year ends. Our fiscal year ends on December 31 so you will receive the summary of material changes no later than April 30 each year. At that time we will also offer a copy of the most current Disclosure Brochure. We may also provide other ongoing disclosure information about material changes as necessary.

### Item 3 – Table of Contents

Item 1 – Cover Page .....	1
Item 2 – Material Changes .....	2
Item 3 – Table of Contents .....	3
Item 4 – Advisory Business .....	4
General Description of Primary Advisory Services .....	4
Financial Planning Services .....	5
Asset Management Services .....	5
Outside Money Managers .....	5
Specialization .....	5
Limits Advice to Certain Types of Investments .....	5
Participation in Wrap Fee Programs .....	6
Tailor Advisory Services to Individual Needs of Clients .....	6
Client Assets Managed by Pinkerton Retirement Specialists .....	6
Item 5 – Fees and Compensation .....	7
Financial Planning Services .....	7
Pinkerton Managed Asset Program .....	8
LPL Financial Sponsored Advisory Program .....	10
Item 6 – Performance-Based Fees and Side-By-Side Management .....	11
Item 7 – Types of Clients .....	11
Minimum Investment Amounts Required .....	12
Item 8 – Methods of Analysis, Investment Strategies and Risk of Loss .....	12
Charting .....	12
Cyclical .....	12
Fundamental .....	12
Technical .....	12
Risk of Loss .....	13
Item 9 – Disciplinary Information .....	14
Item 10 – Other Financial Industry Activities and Affiliations .....	14
Insurance Activities .....	15
Arrangement with LPL Financial .....	15
Third-Party Investment Advisors .....	16
Item 11 – Code of Ethics, Participation in Client Transactions and Personal Trading .....	16
Code of Ethics Summary .....	16
Affiliate and Employee Personal Securities Transactions Disclosure .....	16
Item 12 – Brokerage Practices .....	17
Item 13 – Review of Accounts .....	19
Review of Accounts .....	19
Statements and Reports .....	19
Item 14 – Client Referrals and Other Compensation .....	19
Item 15 – Custody .....	20
Item 16 – Investment Discretion .....	21
Item 17 – Voting Client Securities .....	21
Item 18 – Financial Information .....	22
CUSTOMER PRIVACY POLICY .....	22
Information Required by Part 2B of Form ADV: <i>Brochure Supplement</i> .....	23
Item 1 – Cover Page .....	23

Item 2 – Educational Background and Business Experience .....	23
Item 3 – Disciplinary Information.....	24
Item 4 – Other Business Activities .....	24
Item 5 – Additional Compensation .....	25
Item 6 – Supervision .....	25

#### **Item 4 – Advisory Business**

Pinkerton Retirement Specialists is an investment advisor registered with the United States Securities and Exchange Commission (“SEC”). Our company is a limited liability company formed under the laws of the State of Idaho.

- We have been registered as an investment advisor since June 15, 2010. Prior to forming our own investment advisory firm, the investment advisor representatives of Pinkerton Retirement Specialists provided fee-based, investment advisory services through LPL Financial. During the summer of 2010 we decided to register Pinkerton Retirement Specialists as an investment advisor and subsequently withdraw our investment advisor representative affiliations with LPL Financial after transferring our advisory clients to Pinkerton Retirement Specialists.
  - Dan Pinkerton was an investment advisor representative with LPL Financial from March 2002 through December 2010;
  - Ron Glendening was an LPL Financial investment advisor representatives from July 2003 through December 2010; and
  - Walter “Web” Beggs was an LPL Financial investment advisor representative from September 2002 through October 2010.

More information about our investment advisor representatives’ business and education background can be found in the *Information Required by Part 2B of Form ADV: Brochure Supplement* section of this Disclosure Brochure.

- The investment advisor representatives of Pinkerton Retirement Specialists are also registered representatives of LPL Financial, a registered broker/dealer, member SIPC/FINRA, and our offices are also LPL Financial branch office locations. More details regarding our affiliation with LPL Financial is provided at *Item 5, Item 10 and Item 12 of this Disclosure Brochure*.
- The firm is ultimately owned and controlled by Dan Pinkerton, Managing Member, and his wife Kathryn Pinkerton.
- We provide fee-based investment advisory services through Pinkerton Retirement Specialists. The nature and extent of the specific services provided to clients, including you, will always depend on each client’s financial status, objectives and needs, time horizons, concerns, expectations and risk tolerance.

#### **General Description of Primary Advisory Services**

The following are brief descriptions of our primary services. A detailed description of our services is provided in *Item 5 – Fees and Compensation of this Disclosure Brochure* so that clients and prospective clients can review the services and description of fees in a side-by-side manner.

**Financial Planning Services** – We provide advisory services in the form of financial planning services. Financial planning services do not involve the active management of client accounts, but instead focuses on a client's overall financial situation. Financial planning can be described as helping individuals determine and set their long-term financial goals, through investments, tax planning, asset allocation, risk management, retirement planning, and other areas. The role of a financial planner is to find ways to help the client understand his/her overall financial situation and help the client set financial objectives.

**Asset Management Services** – We provide advisory services in the form of asset management services through the Pinkerton Managed Asset Program (PMAP). Asset management services involve providing clients with continuous and on-going supervision over client accounts. This means we will continuously monitor a client's account and make trades in client accounts when necessary.

**Outside Money Managers** – We also provide advisory services through LPL Financial's Manager Access Select program by referring clients to outside, or unaffiliated, money managers that are registered or exempt from registration as investment advisors. Third-party money managers are responsible for continuously monitoring client accounts and making trades in client accounts when necessary.

***Specialization.***

The firm specializes in providing individualized investment advice through its asset management services and the PRS Four-Step Advance & Protect Investment Process. Please refer to the following pages for details regarding our asset management services. A description of the PRS Four-Step Advance & Protect Investment Process can be found at *Item 8 – Methods of Analysis, Investment Strategies and Risk of Loss*.

**Limits Advice to Certain Types of Investments.** Pinkerton Retirement Specialists provides investment advice on the following types of investments.

- No-Load (i.e. no trading fee) and Load-Waived (i.e. trading fee waived) Mutual Fund Shares
- Exchange-listed securities (i.e. stocks)
- Securities traded over-the-counter (i.e. stocks)
- Fixed income securities (i.e. bonds)
- Closed-End Funds and Exchange Traded Funds (ETFs)
- Foreign issues
- Corporate debt securities (other than commercial paper)
- Commercial paper
- Certificates of deposit
- Municipal securities
- Variable life insurance
- Variable annuities
- Managed Futures
- United States government securities
- Options contracts on securities and commodities
- Interests in partnerships investing in real estate, oil and gas interests

When providing Asset Management Services, the firm will typically construct each client's account holdings using mutual funds and equities to build diversified portfolios. It is not Pinkerton Retirement Specialists typical investment strategy to attempt to time the market but we may increase cash holdings as deemed appropriate, based on your risk tolerance and our expectations of market behavior. We may

modify our investment strategy to accommodate special situations like: low basis stock, stock options, legacy holdings, inheritances, closely held businesses, collectibles, or special tax situations.

*(Please refer to Item 8 – Methods of Analysis, Investment Strategies and Risk of Loss for more information.)*

#### **Participation in Wrap Fee Programs**

Pinkerton Retirement Specialists offers investment management services through both wrap-fee programs and non-wrap fee programs. A wrap fee program is defined as any advisory program under which a specified fee or fees not based directly upon transactions in a client's account is charged for investment advisory services (which may include portfolio management or advice concerning the selection of other investment advisers) and the execution of client transactions. Whenever a fee is charged to a client for services described in this brochure (whether wrap fee or non-wrap fee), Pinkerton Retirement Specialists will receive all or a portion of the fee charged.

There is no material difference in the way we manage client accounts on wrap-fee basis versus non-wrap fee accounts other than one group of clients will pay ticket charges (non-wrap) and for the other group, ticket charges are paid by Pinkerton Retirement Specialists.

Additional information regarding our investment management services can be found at *Item 5 – Fees and Compensation*.

#### **Tailor Advisory Services to Individual Needs of Clients**

Our services are always provided based on the individual needs of each client. This means, for example, that you are given the ability to impose restrictions on the accounts we manage for you, including specific investment selections and sectors. We work with each client on a one-on-one basis through interviews and questionnaires to determine the client's investment objectives and suitability information.

When managing client accounts, we may manage a client's account in accordance with one or more investment models. When client accounts are managed using models, investment selections are based on the underlying model and we do not develop customized (or individualized) portfolio holdings for each client. However, the determination to use a particular model or models is always based on each client's individual investment goals, objectives and mandates.

#### **Client Assets Managed by Pinkerton Retirement Specialists**

We manage and administer approximately \$279,000,000.00 of client assets as of March 24, 2011.

- Of this total, \$96,900,000.00 is managed by Pinkerton Retirement Specialists through the fee-based programs described in this Disclosure Brochure. The entire amount is managed on a discretionary basis.
- In addition, our investment advisor representatives, in their separate capacities as LPL Financial registered representatives, oversee approximately \$182,100,000.00 (also as of March 24, 2011) of client assets through strictly commission-based arrangements on a non-discretionary basis.

## Item 5 – Fees and Compensation

In addition to the information provided in *Item 4 – Advisory Business of this Disclosure Brochure*, this section provides additional details regarding our firm's services along with descriptions of each service's fees and compensation arrangements.

### **Financial Planning Services**

Pinkerton Retirement Specialists provides financial planning services in the form of written financial plans and financial planning consultations. Services may be provided on a one-time basis or on a continuous basis. Clients must execute a Financial Planning Agreement prior to Pinkerton Retirement Specialists commencing such services. The information contained in this section is provided as a description of our firm's financial planning services. Each client's exact financial planning topics to be covered and the specific fee arrangement will be detailed in the Financial Planning Agreement.

Financial planning services may be specific or modular in their preparation (unique to each client in their depth of preparation). Financial planning services may take into consideration factors such as the client's objectives, risks that they are willing to undertake, investment knowledge, net worth, income, age, projected retirement, unusual or material funding requirements, inheritance possibilities, pensions, social security, children/relative funding issues, estate issues, and living expenses expressed in today's dollars requested for retirement.

Topics covered in financial planning services include, but are not necessarily limited to, goal setting, investment planning, tax planning, estate planning, stock option planning, insurance planning, cash flow planning, real estate planning, education planning, retirement planning, and long-term care planning.

*Fees for Financial Planning Services.* Fees for financial planning services may be billed on an hourly or fixed-fee basis for non-Asset Management Services. Hourly fees generally range from \$50 to \$300 per hour. Fixed fee arrangements typically range between \$500 and \$10,000. In both cases, the exact fee and arrangement charged to an individual client is determined by factors such as the depth and detail of services needed, the complexity of the client's situation, the actual topics included, and the associated person providing the service.

Pinkerton Retirement Specialists will estimate the number of hours needed when billing on an hourly basis. The estimate will be provided to the client prior to beginning work on the project. Fixed fees are also quoted prior to commencement of work. In the event Pinkerton Retirement Specialists exceeds the estimate, we will contact the client to receive approval from the client prior to completing additional work.

Fees for on-going financial planning services are billed monthly, in arrears, with payment due upon the client's receipt of a billing statement from Pinkerton Retirement Specialists. Prior to beginning any services, our firm will provide the client with an estimate of the amount of hours required to complete the specific service to be provided. In the event our firm exceeds the estimated time, we will contact the client for approval to continue services. Depending on the scope of a particular project, we may require a fee of up to 50% of the estimated hourly charge to be paid in advance with the remaining portion due at the end of the month or upon completion of the project if completed after the end of the billing period.

Fees for one-time financial planning projects are due and payable after completion of the consultation services or presentation of the financial planning document. Depending on the scope of a particular project, Pinkerton Retirement Specialists may require a fee of up to 50% of the quoted fixed fee to be

paid in advance with the remaining portion due upon completion. It should be noted that lower fees for comparable financial planning services may be available from other sources.

**Termination.** When on-going financial planning services are contracted, the Financial Planning Agreement shall remain in effect until terminated by either party. Clients may terminate the agreement upon notice to Pinkerton Retirement Specialists and termination shall be effective upon Pinkerton Retirement Specialists' receipt of termination. The firm may terminate the agreement upon written notice to the client with termination effective upon five (5) days after the client receives the written termination notice. If services are terminated within five (5) business days of executing the agreement, services will be terminated without penalty (no fees due and/or a complete refund of any fees paid in advance). After the initial five (5) business days, the client is responsible for paying fees for the time and effort expended by Pinkerton Retirement Specialists prior to receipt of notice of termination. A pro-rated refund or a pro-rated charge will be made to client, depending upon the time spent by our firm on services at the time notice of termination was received. Pinkerton Retirement Specialists will provide a billing statement summarizing all charges and an explanation of the pro-rated refund due to client or the pro-rated charges due from client.

When one-time financial planning services are contracted, the Financial Planning Agreement shall terminate upon completion of services or presentation of the planning document. Clients may terminate services prior to completion with no fees due.

**Fee Offset.** While financial planning services are prepared with the intention of the client implementing recommendations made within the plan through Pinkerton Retirement Specialists, clients are not obligated to do so. Clients may select any investment advisor, broker/dealer, or financial institution to implement Pinkerton Retirement Specialists recommendations.

If clients elect to implement financial planning advice through Pinkerton Retirement Specialists, implementation services may be provided through our firm's other advisory programs detailed in this document. In these situations, Pinkerton Retirement Specialists will receive fees in addition to the financial planning fees charged.

Implementation services may also be provided through Pinkerton Retirement Specialists' investment advisor representatives in their separate capacities as securities agents and/or insurance agents and commissions will be earned. Our firm may waive, reduce or credit the amount of the financial planning fee charged to a client when additional advisory fees or commissions are earned. The decision to waive or reduce an advisory fee is at the sole discretion of the firm.

When implementing Pinkerton Retirement Specialists' recommendations or any other investment recommendation, clients need to be aware that standard commissions, custodial fees, and transaction fees may be charged to the client. Clients may incur certain charges imposed by third parties, other than Pinkerton Retirement Specialists, in connection with investments made through an investment account, including but not limited to, mutual fund sales loads, 12b-1 fees and surrender charges, IRA and qualified retirement plan fees.

### **Pinkerton Managed Asset Program**

Pinkerton Retirement Specialists is the sponsor of the Pinkerton Managed Asset Program (referred to as PMAP), a wrap-fee program developed through an arrangement using LPL Financial's Strategic Wealth Management platform. Through the PMAP, Pinkerton Retirement Specialists provides investment management services which are defined as providing continuous investment advice to a client and



making investments for the client based on the individual needs of the client. Through this service, our firm offers a customized and individualized investment program for clients. A specific asset allocation strategy is crafted to focus on the specific client's goals and objectives. Clients will be required to complete the PRS Confidential Profile in order to help define the risk tolerance and investment objective of the client.

PMAP accounts are established at LPL Financial (referred to as "LPL Financial" or "LPL" throughout) in its capacity as a registered broker/dealer, member Financial Industry Regulatory Authority (FINRA) and Securities Investors Protection Corporation (SIPC). LPL Financial is also an investment advisor registered with the SEC, but does not serve as an investment advisor for Pinkerton Retirement Specialists' clients through the PMAP. Clearing, custody and other brokerage services are provided by LPL Financial for accounts established through the PMAP. Therefore, clients will be required to establish a brokerage account(s) through LPL Financial's Strategic Wealth Management platform. Separate accounts are maintained for each client. Each client retains all rights of ownership of their accounts (e. g. right to withdraw securities or cash, exercise or delegate proxy voting, and receive transaction confirmations). *Please refer to Item 12 – Brokerage Practices for more information.*

PMAP accounts allow clients to authorize Pinkerton Retirement Specialists to purchase and sell on a discretionary basis portfolios consisting of securities and investments listed in *Item 4 – Advisory Business of this Disclosure Brochure*. Pinkerton Retirement Specialists may limit its discretion with respect to the client account and the securities eligible to be purchased for the client account (*Please refer to Item 16 – Investment Discretion for more information*).

The annual investment advisory fee charged shall vary up to 3.00% of the assets held in the account and is determined by the market value of the account, asset types, the client's financial situation and trading activity, and is negotiable with the client. The annual fee shall be divided and payable quarterly in advance through a direct debit in the client account. LPL Financial is responsible for calculating and debiting all fees from client accounts. Clients must provide LPL Financial written authorization to debit advisory fees from their accounts and pay such fees to Pinkerton Retirement Specialists. Fees are based on the account's asset value as of the last business day of the prior calendar quarter. Fees for accounts opened at any time other than the beginning of a quarter will be prorated based on the number of days remaining in the initial quarter. The minimum household account size is \$500,000 with the exception of \$300,000 for family members of existing clients. Exceptions to these minimums may be granted at the discretion of the firm.

Prior to engaging Pinkerton Retirement Specialists to provide investment management services, the client will be required to enter into a formal investment advisory agreement with Pinkerton Retirement Specialists setting forth the terms and conditions, including the amount of investment advisory fees, under which Pinkerton Retirement Specialists shall manage the client's assets, and a separate custodial/clearing agreement with LPL Financial.

Clients may open a PMAP I or PMAP II account. In a PMAP I account, in addition to the investment advisory fee, the client will pay certain transaction charges to defray the costs associated with trade execution. These costs are set out in the LPL Strategic Wealth Management platform brokerage account and application agreement. In the PMAP II account, the client does not pay transaction charges associated with trade execution. However, the total advisory fee charged by the firm for PMAP II accounts is higher than the advisory fee charged for PMAP I accounts. Higher fees for PMAP II accounts are charged by Pinkerton Retirement Specialists to help absorb the transaction costs.

Clients may incur certain charges imposed by third parties other than Pinkerton Retirement Specialists in connection with investments made through the account, including but not limited to, 12b-1 fees and surrender charges, and IRA and qualified retirement plan fees. Management fees charged by Pinkerton Retirement Specialists (which include transaction and execution fees charged by LPL Financial for PMAP II accounts) are separate and distinct from the fees and expenses charged by investment company securities that may be recommended to clients. A description of these fees and expenses are available in each investment company security's prospectus. Pinkerton Retirement Specialists' investment advisor representatives, will not retain any portion of the commissions charged to the client. However, such commissions will be retained by LPL Financial. These commissions may include 12b-1 fees, surrender charges, and IRA and qualified retirement plan fees.

PMAP I / PMAP II may cost the client more or less than if the assets were held in a traditional brokerage account. In a brokerage account, the client is charged commissions for each transaction, and the representative has no duty to provide ongoing advice with respect to the account. If the client plans to follow a buy and hold investment strategy for the account or does not wish to purchase ongoing investment advice or management services, the client should consider opening a brokerage account rather than a PMAP I or PMAP II account.

Either party may terminate the agreement for services at any time. If services are terminated within five (5) business days of executing the agreement, services will be terminated without penalty and a full refund of all fees paid in advance will be provided. If services are terminated after the initial five day period, Pinkerton Retirement Specialists shall provide the client with a pro-rated refund of fees paid in advance. The refund will be based on the number of days service was actually provided during the final billing period. Termination shall be effective from the time the other party receives written notification or such other time as may be mutually agreed upon, subject to the settlement of transactions in progress and the final refund of advisory fees. There will be no penalty charge upon termination.

This section is intended to be a summary of the PMAP. All clients contracting for PMAP services will be provided a copy of the PMAP Wrap Fee Program Brochure.

#### **LPL Financial Sponsored Advisory Program**

Pinkerton Retirement Specialists may provide advisory services through the Manager Access Select Program sponsored by LPL Financial Corporation (LPL), a registered investment advisor and broker-dealer. For more information regarding Manager Access Select, including more information on the advisory services and fees that apply, the types of investments available in the program and the potential conflicts of interest presented by the program please see the LPL Financial Form ADV Part 2A Disclosure Brochure or the applicable program's Wrap Fee Program Brochure and the applicable client agreement. Clients engaging Pinkerton Retirement Specialists through Manager Access Select will be provided a copy of the program's disclosure brochure and must execute the program's client agreement

Manager Access Select provides clients access to the investment advisory services of professional portfolio management firms for the individual management of client accounts. Pinkerton Retirement Specialists will assist client in identifying a third party portfolio manager (Portfolio Manager) from a list of Portfolio Managers made available by LPL. The Portfolio Manager manages client's assets on a discretionary basis. Pinkerton Retirement Specialists will provide initial and ongoing assistance regarding the Portfolio Manager selection process.

A minimum account value of \$100,000 is required for Manager Access Select, however, in certain instances, the minimum account size may be lower or higher.

#### Fees for Manager Access Select

The account fee charged to the client for Manager Access Select program accounts is negotiable based on factors such as, but not limited to, the total amount of assets under management and the client's financial situation. However, the maximum annual fee charged by Pinkerton Retirement Specialists shall not exceed 3.0%. Account fees are payable quarterly in advance. Pinkerton Retirement Specialists will receive 35% to 80% of the fee charged to clients.

LPL serves as program sponsor, investment advisor and broker-dealer for Manager Access Select. Pinkerton Retirement Specialists and LPL share in the account fee and other fees associated with program accounts. Investment advisor representatives of the firm are also registered representatives of LPL.

#### Potential Conflicts of Interest

Transactions in Manager Access Select program accounts are generally effected through LPL as the executing broker-dealer.

Pinkerton Retirement Specialists receives compensation as a result of a client's participation in an LPL program. Depending on, among other things, the size of the account, changes in its value over time, the ability to negotiate fees or commissions, and the number of transactions, the amount of this compensation may be more or less than what the firm would receive if the client participated in other programs, whether through LPL or another sponsor, or paid separately for investment advice, brokerage and other services.

Clients are advised that the investment recommendations and advice offered by Pinkerton Retirement Specialists does not constitute legal or accounting advice. Therefore, you should coordinate and discuss the impact of financial advice with your attorney and/or accountant. Clients are advised that it is necessary to inform Pinkerton Retirement Specialists promptly with respect to any changes in their financial situation, investment goals and objectives. Failure to notify Pinkerton Retirement Specialists of any such changes could result in investment recommendations not meeting the needs of the client.

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

Item 6 of the Form ADV Part 2 instructions is not applicable to this Disclosure Brochure because Pinkerton Retirement Specialists **does not charge or accept performance-based fees** which can be defined as fees based on a share of capital gains on or capital appreciation of the assets held within a client's account.

### **Item 7 – Types of Clients**

Pinkerton Retirement Specialists generally provides investment advice to the following types of clients.

- Individuals
- High-Net Worth Individuals
- Pension and profit sharing plans
- Trusts, estates, or charitable organizations
- Corporations or business entities other than those listed above

All clients are required to execute an agreement for services in order to establish a client arrangement with Pinkerton Retirement Specialists and/or the sponsor of third-party money manager platforms.

### **Minimum Investment Amounts Required**

The minimum household account size is \$500,000 with the exception of \$300,000 for family members of existing clients. For individual accounts, the PMAP I and II accounts have a minimum investment of \$15,000 and Manager Access Select accounts, a minimum amount of 100,000. Exceptions to these minimums may be granted by LPL and Pinkerton Retirement Specialists.

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

### **Pinkerton Retirement Specialists uses the following methods of analysis in formulating investment advice.**

**Charting** - The set of techniques used in technical analysis in which charts are used to plot price movements, volume, settlement prices, open interest, and other indicators, in order to anticipate future price movements. Users of these techniques, called chartists, believe that past trends in these indicators can be used to extrapolate future trends.

**Cyclical** - Analyzes the investments sensitive to business cycles and whose performance is strongly tied to the overall economy. For example, cyclical companies tend to make products or provide services that are in lower demand during downturns in the economy and higher demand during upswings. Examples include the automobile, steel, and housing industries. The stock price of a cyclical company will often rise just before an economic upturn begins, and fall just before a downturn begins. Investors in cyclical stocks try to make the largest gains by buying the stock at the bottom of a business cycle, just before a turnaround begins.

**Fundamental** - A method of evaluating a security by attempting to measure its intrinsic value by examining related economic, financial and other qualitative and quantitative factors. Fundamental analysts attempt to study everything that can affect the security's value, including macroeconomic factors (like the overall economy and industry conditions) and individually specific factors (like the financial condition and management of companies). The end goal of performing fundamental analysis is to produce a value that an investor can compare with the security's current price in hopes of figuring out what sort of position to take with that security (underpriced = buy, overpriced = sell or short). This method of security analysis is considered to be the opposite of technical analysis. Fundamental analysis is about using real data to evaluate a security's value. Although most analysts use fundamental analysis to value stocks, this method of valuation can be used for just about any type of security.

**Technical** - A method of evaluating securities by analyzing statistics generated by market activity, such as past prices and volume. Technical analysts do not attempt to measure a security's intrinsic value, but instead use charts and other tools to identify patterns that can suggest future activity. Technical analysts believe that the historical performance of stocks and markets are indications of future performance.

### **Pinkerton Retirement Specialists uses the following investment strategies when managing client assets and/or providing investment advice.**

The PRS investment process is a disciplined, non-emotional, formula-driven approach that seeks to capture growth in advancing markets, and minimize risk and exposure in down-trending markets. While PRS knows that no strategy can ultimately guarantee a profit or protect against a loss, the process is essentially important.

Step 1: Research - Define the investment objectives and identify the investable universe from the global capital markets. The PRS Research Team selects the investments that best match the

stated objectives through focused analysis, disciplined methodology, and leading third-party research.

Step 2: Respond - Allocate capital only to those investments in the established universe that are in a confirmed uptrend, utilizing a quantitative and technical analysis process. Cash is an asset class that is utilized to minimize volatility and losses. In advancing markets, cash exposure decreases. Conversely, in declining markets, cash exposure increases.

Step 3: Advance - Monitor each investment, making tactical adjustments weekly, if needed, in response to changes in the global capital markets, a specific sector, or an individual company or fund. Investments that continue to advance and maintain upward momentum are kept. Investments that enter confirmed downtrends are sold and reallocated to another security or cash.

Step 4: Protect - Protect gains through a disciplined sell strategy for each invested position. PRS research focuses not only on when to buy, but also on when to sell. The objective is not to “buy, hold, and hope” but to “Advance and Protect.”

In addition, we also utilize the following general investment strategies: long term purchases (Investments held at least a year), short term purchases (Investments sold within a year), trading (Investments sold within 30 days), and option writing including covered options, uncovered options, or spreading strategies. Options are contracts giving the purchaser the right to buy or sell a security, such as stocks, at a fixed price within a specific period of time.

There is a potential for frequent trading of securities in our strategies, which may have a positive or negative impact on investment performance. Performance from active trading can be lowered due to an increase in brokerage and other transaction costs.

### **Risk of Loss**

Clients must understand that past performance is not indicative of future results. Therefore, current and prospective clients (including you) should never assume that future performance of any specific investment or investment strategy will be profitable. Investing in securities (including stocks, mutual funds, and bonds) involves risk of loss. Further, depending on the different types of investments there may be varying degrees of risk. Clients and prospective clients should be prepared to bear investment loss including loss of original principal.

Because of the inherent risk of loss associated with investing, our firm is unable to represent, guarantee, or even imply that our services and methods of analysis can or will predict future results, successfully identify market tops or bottoms, or insulate you from losses due to market corrections or declines. There are certain additional risks associated when investing in securities through our investment management program.

- **Market Risk** – Either the stock market as a whole, or the value of an individual company, goes down resulting in a decrease in the value of client investments. This is also referred to as systemic risk.
- **Equity (stock) market risk** – Common stocks are susceptible to general stock market fluctuations and to volatile increases and decreases in value as market confidence in and perceptions of their issuers change. If you held common

stock, or common stock equivalents, of any given issuer, you would generally be exposed to greater risk than if you held preferred stocks and debt obligations of the issuer.

- Company Risk. When investing in stock positions, there is always a certain level of company or industry specific risk that is inherent in each investment. This is also referred to as unsystematic risk and can be reduced through appropriate diversification. There is the risk that the company will perform poorly or have its value reduced based on factors specific to the company or its industry. For example, if a company's employees go on strike or the company receives unfavorable media attention for its actions, the value of the company may be reduced.
- Fixed Income Risk. When investing in bonds, there is the risk that issuer will default on the bond and be unable to make payments. Further, individuals who depend on set amounts of periodically paid income face the risk that inflation will erode their spending power. Fixed-income investors receive set, regular payments that face the same inflation risk.
- Options Risk. Options on securities may be subject to greater fluctuations in value than an investment in the underlying securities. Purchasing and writing put and call options are highly specialized activities and entail greater than ordinary investment risks.
- ETF and Mutual Fund Risk – When our firm invests in a an ETF or mutual fund, it will bear additional expenses based on its pro rata share of the ETFs or mutual fund's operating expenses, including the potential duplication of management fees. The risk of owning an ETF or mutual fund generally reflects the risks of owning the underlying securities the ETF or mutual fund holds. Clients will also incur brokerage costs when purchasing ETFs.
- Management Risk – Your investment with our firm varies with the success and failure of our investment strategies, research, analysis and determination of portfolio securities. If our investment strategies do not produce the expected returns, the value of the investment will decrease.

#### **Item 9 – Disciplinary Information**

This item is not applicable to Pinkerton Retirement Specialists' brochure because there are no legal or disciplinary events listed at Item 9 of the Form ADV Part 2 instructions that are material to a client's or prospective client's evaluation of Pinkerton Retirement Specialists' business or the integrity of Pinkerton Retirement Specialists' management.

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

Pinkerton Retirement Specialists is **not** and does **not** have a related company that is a (1) broker/dealer, municipal securities dealer, government securities dealer or broker, (2) investment company or other pooled investment vehicle (including a mutual fund, closed-end investment company, unit investment trust, private investment company or "hedge fund," and offshore fund), (3) other investment adviser or

financial planner, (4) futures commission merchant, commodity pool operator, or commodity trading advisor, (5) banking or thrift institution, (6) accountant or accounting firm, (7) lawyer or law firm, (8) insurance company or agency, (9) pension consultant, (10) real estate broker or dealer, or (11) sponsor or syndicator of limited partnerships.

While Pinkerton Retirement Specialists does not sell products or services other than investment advice, the firm's investment advisor representatives may sell other products or provide services through their brokerage relationship with LPL Financial. Pinkerton Retirement Specialists' investment advisor representatives concentrate the majority of their efforts providing investment advisory services and financial planning services for clients.

### **Insurance Activities**

Investment advisor representatives may be licensed to provide insurance services to clients. Insurance products are provided to clients for personal, estate and business needs to minimize clients' exposure to identified risks. Although clients are under no obligation to purchase insurance products recommended by Pinkerton Retirement Specialists' investment advisor representatives in their separate capacities as insurance agents, clients often purchase such products when needs arise. For clients of Pinkerton Retirement Specialists who purchase products causing commissions to be generated, these are paid to the investment advisor representatives in their separate capacities as insurance agents. For those investment advisor representatives who are insurance licensed, this activity varies throughout the year.

### **Arrangement with LPL Financial**

If the client wants to, the client can engage the investment advisor representatives of the firm (but not the firm) in their separate capacities as registered representatives of LPL, to render securities brokerage services under a commission arrangement. Brokerage commissions may be charged by LPL to effect these securities transactions and, thereafter, a portion of these commissions will be paid by LPL to such investment advisor representatives as registered representatives of LPL. Prior to effecting any transactions, the client will be required to enter into a new account agreement with LPL. The brokerage commissions charged by LPL may be higher or lower than those charged by other broker/dealers. In addition, the registered representatives may also receive additional ongoing 12b-1 fees for mutual fund purchases from the mutual fund company during the period that the client maintains the mutual fund investment.

Depending on the type of LPL account that could be used to implement a financial plan or investment strategy, such compensation may include (but is not limited to) advisory program fees; commissions; mark-ups and mark-downs; transaction charges; confirmation charges; small account fees; mutual fund 12b-1 fees; mutual fund sub-transfer agency fees; hedge fund managed futures, and variable annuity investor servicing fees; retirement plan fees; fees in connection with LPL's insured deposit account program; administrative services fees for trust accounts; referral fees; compensation for directing order flow; and bonuses, awards or other things of value offered by LPL to the IAR.

This compensation to IAR and LPL may be more or less depending on the product or service that IAR recommends. Therefore, the IAR may have a financial incentive to recommend that a financial plan be implemented using a certain product or services.

The investment advisor representatives of Pinkerton Retirement Specialists may recommend securities or insurance products offered by LPL (or other insurance firms), and will receive the normal commissions if products are purchased through them; thus a conflict of interest exists between their interests and those of Pinkerton Retirement Specialists' Clients. Clients are under no obligation to purchase products

recommended by investment advisor representatives or to purchase products either through Pinkerton Retirement Specialists or LPL.

As a result of the LPL relationship, LPL will have access to certain confidential information (e.g., financial information, investment objectives, transactions and holdings) about Pinkerton Retirement Specialists' clients, even if the client does not establish any account through LPL. If you would like a copy of the LPL Financial privacy policy, please contact Pinkerton Retirement Specialists.

### **Third-Party Investment Advisors**

As described in *Item 4 – Advisory Business* and *Item 5 – Fees and Compensation*, Pinkerton Retirement Specialists has formed relationships with independent, third-party investment advisors through LPL Manager Access Select Program. When we refer clients to a third party investment through this program, you need to know that my firm will receive a portion of the fee charged. Therefore, we have a conflict of interest in that we will only recommend third party money managers available through the LPL Manager Access Program.

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

### **Code of Ethics Summary**

Rule 204A-1 of the *Investment Advisers Act of 1940* requires all investment advisers to establish, maintain and enforce a Code of Ethics. Pinkerton Retirement Specialists has established a Code of Ethics that will apply to all of its supervised persons. An investment adviser is considered a fiduciary according to the *Investment Advisers Act of 1940*. As a fiduciary, it is an investment adviser's responsibility to provide fair and full disclosure of all material facts and to act solely in the best interest of each of our clients at all times. Pinkerton Retirement Specialists has a fiduciary duty to all clients. This fiduciary duty is considered the core underlying principle for the advisor's Code of Ethics which also covers its Insider Trading and Personal Securities Transactions Policies and Procedures. Pinkerton Retirement Specialists requires all of its supervised persons to conduct business with the highest level of ethical standards and to comply with all federal and state securities laws at all times. Upon employment or affiliation and when changes occur, all supervised persons will sign an acknowledgement that they have read, understand and agree to comply with the Pinkerton Retirement Specialists' Code of Ethics. Pinkerton Retirement Specialists has the responsibility to make sure that the interests of all clients are placed ahead of the firm's or its supervised person's own investment interest. Full disclosure of all material facts and potential conflicts of interest will be provided to clients prior to any services being conducted. Pinkerton Retirement Specialists and its supervised persons must conduct business in an honest, ethical and fair manner and avoid all circumstances that might negatively affect or appear to affect our duty of complete loyalty to all clients.

This disclosure is provided to give all clients a summary of Pinkerton Retirement Specialists' Code of Ethics. **However, if a client or a potential client wishes to review Pinkerton Retirement Specialists' Code of Ethics in its entirety, a copy will be provided promptly upon request.**

### **Affiliate and Employee Personal Securities Transactions Disclosure**

Pinkerton Retirement Specialists or its supervised persons may buy or sell for their personal accounts, investment products identical to those recommended to clients. This creates a potential conflict of interest. The control for potential conflicts, we have developed several procedures.



- It is the express policy of Pinkerton Retirement Specialists that all persons associated in any manner with Pinkerton Retirement Specialists must place the interests of the firm's clients ahead of their own when implementing personal investments.
- Pinkerton Retirement Specialists and its supervised persons shall not buy or sell securities for their personal account(s) where their decision is derived, in whole or in part, by information obtained as a result of his/her employment unless the information is also available to the investing public upon reasonable inquiry.
- Client and PRS employee securities transactions are typically executed through block trades prior to the open of the market to ensure common execution.
- If a security is traded intraday for both clients and PRS employees, these PRS employee trades must be completed in the last ½ hour of trading in order to avoid leading client transactions.
- As part of our Code of Ethics, personnel are required to report their personal securities transactions and holdings to the Firm for review.

## **Item 12 – Brokerage Practices**

Clients wishing to implement Pinkerton Retirement Specialists' advice are free to select any broker they wish and are so informed. If clients wish to have Pinkerton Retirement Specialists' investment advisor representatives implement the advice in their capacity as registered representative, LPL will be used.

Not all investment advisors require the use of a particular broker/dealer. Some investment advisors allow their clients to establish managed accounts at any broker/dealer of the client's own choosing. Because of our affiliation with LPL Financial and subsequent LPL Financial policies, we require the use of LPL Financial when opening an account through the Pinkerton Managed Asset Program and the LPL Manager Access Select Program.

Although we do not receive client referrals from LPL, investment advisor representatives of Pinkerton Retirement Specialists are registered representatives of LPL and are required to use the services of LPL when acting in their capacity as registered representatives. LPL has a wide range of approved securities products for which LPL performs due diligence prior to selection. LPL's registered representatives are required to adhere to these products when implementing securities transactions through LPL.

Commissions charged for these products may be higher or lower than commissions clients may be able to obtain if transactions were implemented through another broker/dealer. Because the investment advisor representatives of Pinkerton Retirement Specialists are also registered representatives of LPL, LPL provides compliance support to Pinkerton Retirement Specialists' supervised persons. In addition to compliance support, LPL also provides the supervised persons of the firm, and therefore the firm, with back-office operational, technology, and other administrative support.

If clients wish to implement the advice of Pinkerton Retirement Specialists through any of the programs described in this document, LPL will be used as the broker/dealer and/or custodian. LPL will be the primary broker/dealer and custodian recommended due to the firm's relationship with LPL. Pinkerton Retirement Specialists recommends broker/dealers and custodians that Pinkerton Retirement Specialists feels will provide services in a manner and at a cost that will allow the firm to meet its duty of best execution. However, Pinkerton Retirement Specialists may be limited in the broker/dealer or custodians that it is allowed to use due to the firm's relationship with LPL. LPL may limit or restrict the broker/dealer

or custodial platforms for its registered representatives that are also independently licensed due to its duty to supervise the transactions implemented by these individuals.

While there is no direct linkage between the investment advice given to clients and Pinkerton Retirement Specialists' recommendation of LPL, economic benefits may be provided by LPL to the firm that will not be provided if the client selects another broker/dealer or account custodian. These benefits may include: negotiated costs for transaction implementation, a dedicated trade desk that services LPL participants exclusively, a dedicated service group and an account services manager dedicated to the firm's accounts, access to a real-time order matching system, electronic download of trades, balances and position information, access, for a fee, to an electronic interface with the account custodian's software, duplicate and batched client statements, confirmations and year-end reports.

### **Aggregate Trades**

In some cases transactions implemented by Pinkerton Retirement Specialists are effected on an individual basis. However, generally Pinkerton Retirement Specialists will purchase or sell the same securities for several clients at approximately the same time. This process is referred to as aggregating orders, batch trading or block trading and is used by the firm when we believe such action may prove advantageous to clients. When Pinkerton Retirement Specialists aggregates client orders, the allocation of securities among client accounts will be done on a fair and equitable basis. Typically, the process of aggregating client orders is done in order to achieve better execution, to negotiate more favorable commission rates or to allocate orders among clients on a more equitable basis in order to avoid differences in prices and transaction fees or other transaction costs that might be obtained when orders are placed independently. Under this procedure, transactions will be averaged as to price and will be allocated among the firm's clients in proportion to the purchase and sale orders placed for each client account on any given day. When Pinkerton Retirement Specialists determines to aggregate client orders for the purchase or sale of securities, including securities in which the associated person of the firm may invest, we will do so in accordance with the parameters set forth in the SEC No-Action Letter, *SMC Capital, Inc.* It should be noted, Pinkerton Retirement Specialists does not receive any additional compensation or remuneration as a result of aggregation.

### **Trade Error Policy**

Pinkerton Retirement Specialists has implemented procedures designed to prevent trade errors; however, trade errors in client accounts cannot always be avoided. Consistent with its fiduciary duty, it is the policy of Pinkerton Retirement Specialists to correct trade errors in a manner that is in the best interest of the client. In cases where the client causes the trade error, the client will be responsible for any loss resulting from the correction. Depending on the specific circumstances of the trade error, the client may not be able to receive any gains generated as a result of the error correction. In all situations where the client does not cause the trade error, the client will be made whole and any loss resulting from the trade error will be absorbed by Pinkerton Retirement Specialists if the error was caused by the firm. If the error is caused by the broker-dealer, the broker-dealer will be responsible for covering all trade error costs. If an investment gain results from the correcting trade, the gain will remain in the client's account unless the same error involved other client account(s) that should also receive the gains and it is not permissible for all clients to retain the gain. Pinkerton Retirement Specialists may also confer with clients to determine if the client should forego the gain (e.g., due to tax reasons).

Pinkerton Retirement Specialists and its supervised persons will never retain any portion of any gains made as a result of trade error corrections or profit in any way from trade errors.

If the gain does not remain in the account and LPL is the custodian, LPL as the broker/dealer, will maintain gains that may result from correcting a trade error and in some instances may use such gains to offset overall losses LPL incurs from trading errors.

### **Item 13 – Review of Accounts**

#### **Review of Accounts**

On-going financial planning services are reviewed and updated on an-going basis at the request of the client. Pinkerton Retirement Specialists shall periodically contact the client to determine if updates or additional financial planning services are needed; however, clients are expected to inform Pinkerton Retirement Specialists of any changes in the client's situation or when additional services and updates are needed. Reviews are not provided for one-time financial planning services. However, clients are encouraged to have their financial planning situation reviewed and updated on as-needed basis.

Pinkerton Retirement Specialists reviews are provided in connection with asset management accounts. For clients participating in one or more of these program, one of the firm's representatives will contact clients at least annually for the purpose of reviewing their account and to determine if their have been changes in their financial situation or investment objectives. The calendar is the main triggering factor, although more frequent reviews may also be triggered by changes in the client's circumstances, client request, or changes within the market. The underlying investments held in client accounts are reviewed on a more frequent basis. Portfolios constructed by Pinkerton Retirement Specialists are usually reviewed as frequently as weekly, but no less than quarterly by Pinkerton Retirement Specialists. Triggering factors for changes to underlying portfolios include the relative valuation changes between asset classes, deviation from management style by fund, or fund closures. Portfolios constructed by third-party investment advisors will be monitored by the third-party investment advisor.

The firm's investment advisor representatives, Daniel Pinkerton, Ron Glendening and Walter Beggs, are responsible for providing all investment advisory services and making all investment recommendations.

#### **Statements and Reports**

During any month that there is activity in a Pinkerton Managed Asset Program account (but no less frequently than quarterly), the client receives an account statement, from LPL Financial, showing account activity as well as positions held in the account at month end. Additionally, the client receives a confirmation of each transaction that occurs within the Pinkerton Managed Asset Program account unless the transaction is the result of a systematic purchase, redemption or exchange. The client will also receive from LPL Financial a detailed quarterly report showing performance, positions, and activity. All account data and statements are also available on-line through the account view portal through LPL Financial.

In addition, Pinkerton Retirement Specialists may provide newsletters covering general financial planning and investment topics.

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

If client transactions are executed through LPL or any insurance company with whom representatives are licensed, Pinkerton Retirement Specialists' investment advisor representatives may receive normal commissions.

As detailed in Item 5 of this Disclosure Brochure, our advisor representatives do not receive commissions, 12b-1 fees and other “brokerage” compensation from fee-based accounts. Pinkerton Retirement Specialists’ investment advisor representatives, in their separate capacities as registered representatives, may receive commissions from the execution of securities transactions. In addition, they may receive 12b-1 fees from certain mutual fund companies as outlined in the fund’s prospectus. 12b-1 fees come from fund assets, therefore, indirectly from client assets. The receipt of such fees could represent an incentive for investment advisor representatives to recommend funds with 12b-1 fees over funds that have no fees or lower fees. While Pinkerton Retirement Specialists endeavors at all times to put the interest of the clients firms as part of its fiduciary duty, clients should be aware that the receipt of additional compensation itself creates a conflict of interest and may affect the judgment of these individuals when making recommendations.

The investment advisor representatives of our firm who are registered representatives or insurance representatives may be eligible to receive various incentives that may be based upon production levels. These incentives may include marketing reimbursements, educational conference trips or discounts on various software or investment-related research materials. Pinkerton Retirement Specialists may also be provided with various newsletters or publications from financial services firms as a customary consideration.

#### **Client Referrals**

Pinkerton Retirement Specialists may enter into arrangements with individuals (“Solicitors”) who will refer clients that may be candidates for investment advisory services, to the firm. In return, Pinkerton Retirement Specialists will agree to compensate the Solicitor for the referral. Compensation to the Solicitor is dependent on the client entering into an advisory agreement with Pinkerton Retirement Specialists. Compensation to the Solicitor will be an agreed upon percentage of Pinkerton Retirement Specialists’ investment advisory fee or a flat fee depending on the type of advisory services the Applicant provides to clients. Pinkerton Retirement Specialists’ referral program will be in compliance with federal or state regulations (as applicable). The solicitation/ referral fee is paid pursuant to a written agreement retained by both Pinkerton Retirement Specialists and the Solicitor. The Solicitor will be required to provide the client with a copy of Pinkerton Retirement Specialists’ Form ADV Part II and a Solicitor Disclosure Document prior to or at the time of entering into any investment advisory contract with Pinkerton Retirement Specialists. The Solicitor is not permitted to offer clients any investment advice on behalf of Pinkerton Retirement Specialists. The advisory fee charged to clients will not increase as a result of compensation being shared with the Solicitor.

#### **Item 15 – Custody**

Custody, as it applies to investment advisors, has been defined by regulators as having access or control over client funds and/or securities. In other words, custody is not limited to physically holding client funds and securities. If an investment advisor has the ability to access or control client funds or securities, the investment advisor is deemed to have custody and must ensure proper procedures are implemented. According to this definition, Pinkerton Retirement Specialists does not have custody of client funds or securities.

Although the firm does not have custody, Pinkerton Retirement Specialists has established procedures to ensure all client funds and securities are held at a qualified custodian in a separate account for each client under that client’s name. Clients or an independent representative of the client will direct, in writing, the establishment of all accounts and therefore are aware of the qualified custodian’s name, address and the manner in which the funds or securities are maintained. Finally, account statements are delivered

directly from the qualified custodian to each client, or the client's independent representative, at least quarterly. Clients should carefully review those statements and are urged to compare the statements against any reports received directly from Pinkerton Retirement Specialists. When clients have questions about their account statements, they should contact Pinkerton Retirement Specialists or the qualified custodian preparing the statement.

### **Item 16 – Investment Discretion**

Through its asset management services and upon receiving written authorization from a client, Pinkerton Retirement Specialists will maintain trading authorization over client accounts. Upon receiving written authorization from the client, Pinkerton Retirement Specialists may implement trades on a **discretionary** basis. When discretionary authority is granted, Pinkerton Retirement Specialists will have the authority to determine the type of securities and the amount of securities that can be bought or sold for the client's portfolio without obtaining the client's consent for each transaction. However, it is the policy of Pinkerton Retirement Specialists to consult with the client prior to making significant changes in the account even when discretionary trading authority is granted by the client.

If you decide to grant trading authorization on a **non-discretionary** basis, we will be required to contact you prior to implementing changes in your account. Therefore, you will be contacted and required to accept or reject our investment recommendations including:

- The security being recommended
- The number of shares or units
- Whether to buy or sell

Once the above factors are agreed upon, we will be responsible for making decisions regarding the timing of buying or selling an investment and the price at which the investment is bought or sold. If your accounts are managed on a non-discretionary basis, you need to know that if you are not able to be reached or are slow to respond to our request, it can have an adverse impact on the timing of trade implementations and we may not achieve the optimal trading price.

All clients have the ability to place reasonable restrictions on the types of investments that may be purchased in an account. Clients may also place reasonable limitations on the discretionary power granted to our firm so long as the limitations are specifically set forth or included as an attachment to the client agreement.

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

Pinkerton Retirement Specialists will not vote proxies on behalf of your account. While there are some investment advisors that will vote proxies and other corporate decisions on behalf of their clients, we have determined that taking on the responsibility for voting client securities does not add enough value to the services provided to clients to justify the additional compliance and regulatory costs associated with voting client securities. Therefore, it is your responsibility to vote all proxies for securities held in accounts managed by our firm.

Clients will receive proxies directly from their custodian or transfer agent and such documents will not be delivered by our firm. Although we do not vote client proxies, if you have a question about a particular proxy feel free to contact us.

## Item 18 – Financial Information

This item is not applicable to this brochure. Pinkerton Retirement Specialists does not require or solicit prepayment of more than \$1200 in fees per client, six months or more in advance. Therefore, we are not required to include a balance sheet for our most recent fiscal year. We are not subject to a financial condition that is reasonably likely to impair our ability to meet contractual commitments to clients. Finally, we have not been the subject of a bankruptcy petition at any time.

## CUSTOMER PRIVACY POLICY

Regulation S-P, Privacy of Consumer Financial Information, requires financial institutions, including Pinkerton Retirement Specialists, to provide notice to current clients and prospective clients about their policies and practices concerning the collection and use of customer, non-public information. This privacy policy notice is given to all prospective clients of the firm upon entering into a contract with Pinkerton Retirement Specialists and annually thereafter.

**Privacy Disclosure Statement.** A primary goal of Pinkerton Retirement Specialists is to protect the privacy of its clients. Pinkerton Retirement Specialists does not sell the personal information of clients to anyone.

To conduct regular business, Pinkerton Retirement Specialists may collect nonpublic personal information from clients. This information is provided by clients to Pinkerton Retirement Specialists on applications and other forms provided by clients to Pinkerton Retirement Specialists as well as transactions with the firm, our affiliates, or others.

Pinkerton Retirement Specialists may enter into contracts with outside third parties so that Pinkerton Retirement Specialists can assist its clients in servicing their accounts. In order to do this, Pinkerton Retirement Specialists will disclose personal information to companies that help Pinkerton Retirement Specialists process transactions for client accounts (for example, executing client trades at through a broker/dealer). However, Pinkerton Retirement Specialists does not share or disclose any nonpublic customer information except as allowed or required by law. In addition to sharing information in order to provide financial services to clients, the firm may be required to disclose personal information to cooperate with regulators or law enforcement authorities, to resolve customer disputes, or for risk control.

**Information Safeguarding.** Pinkerton Retirement Specialists has implemented strict policies and procedures aimed at protecting the sensitive nature of client information. The firm restricts access to client information to only those members of the firm that must provide products and services to clients in order to service client accounts. Pinkerton Retirement Specialists may also share information with LPL Financial which has supervisory obligations over certain of the firm's activities. As a result of the LPL relationship, LPL will have access to certain confidential information (e.g., financial information, investment objectives, transactions and holdings) about Pinkerton Retirement Specialists' clients, even if the client does not establish any account through LPL. If you would like a copy of the LPL Financial privacy policy, please contact Pinkerton Retirement Specialists.

Pinkerton Retirement Specialists has implemented physical, electronic, and procedural safeguards aimed at meeting the firm's duty to protect nonpublic client information.

If you have any questions concerning Pinkerton Retirement Specialists' customer privacy policy or concerns about your personal information please feel free to contact Pinkerton Retirement Specialists at the number located on the cover page of this brochure.

### **Information Required by Part 2B of Form ADV: *Brochure Supplement***

#### ***Item 1 – Cover Page***

This brochure supplement provides information about Dan Pinkerton, Ron Glendening, and Walter “Web” Beggs that supplements the information previously provided in this brochure. Please contact the Compliance Administrator at 208-667-8998 if you have any questions about the contents of this supplement.

Additional information about Mr. Pinkerton, Mr. Glendening, and Mr. Beggs is available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov).

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

##### **Dan Pinkerton**

Born: 01/1965

##### **Education Background:**

- Bachelor of Arts in International Relations with emphasis in Economics – Stanford University (Palo Alto, CA), 1987

##### **Business Background & Other Business Activity:**

- Pinkerton Retirement Specialists, LLC, Managing Member, 09/1996 – Present and Investment Advisor Representative, 05/2010 – Present;
- LPL Financial Corporation, Registered Principal, 07/1997 – Present;
- LPL Financial Corporation, Investment Advisor Representative, 03/2002 – 12/2010;
- Pinkerton Financial Corporation, President, 09/1996 – Present;
- Pinkerton Family Heritage, LP, General Partner, 09/1996 – Present;
- Pinkerton Investments, Inc., President, 09/1996 – Present; and
- Rockford Bay Ranch (Family Owned Ranch), 07/2004 – Present.

##### **Ron Glendening**

Born: 09/1964

##### **Education Background:**

- Bachelor of Arts - Moody Bible Institute (Chicago, IL), 1988
- Master of Divinity- Trinity Evangelical Divinity School (Deerfield, IL), 1993

##### **Business Background & Other Business Activity:**

- Pinkerton Retirement Specialists, LLC, Chief Compliance Officer, Wealth Advisor, 6/2001 – Present; and Investment Advisor Representative, 05/2010 – Present;
- LPL Financial Corporation, Registered Representative, 01/2002 – Present; and
- LPL Financial Corporation, Investment Advisor Representative, 07/2003 – 12/2010.

## **Walter “Web” Beggs**

Born: 02/1954

### **Education Background:**

- Bachelor of Arts in Mathematics – Northwest Nazarene (Nampa, ID), 1987

### **Business Background & Other Business Activity:**

- Pinkerton Retirement Specialists, LLC, Wealth Advisor 05/1996 – Present; and Investment Advisor Representative, 05/2010 – Present;
- LPL Financial Corporation, Registered Representative, 10/1997 – Present; and
- LPL Financial Corporation, Investment Advisor Representative, 09/2002 – 10/2010.

### ***Item 3 – Disciplinary Information***

Mr. Pinkerton, Mr. Glendening and Mr. Beggs have never been subject to a legal or disciplinary event required to be reported by the Form ADV Part 2B – Brochure Supplement instructions.

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

Registered Representative with LPL Financial Corporation. Mr. Pinkerton, Mr. Glendening and Mr. Beggs are separately licensed as a registered representative with LPL Financial Corporation, a registered securities broker/dealer, member of the Financial Industry Regulatory Authority (FINRA) and the Securities Investors Protection Corporation (SIPC). When acting in his/her separate capacity as a registered representative of LPL Financial, Mr. Pinkerton, Mr. Glendening and Mr. Beggs may sell, for commissions, general securities products such as stocks, bonds, mutual funds, exchange-traded funds, and variable annuity and variable life products to advisory clients. As such, Mr. Pinkerton, Mr. Glendening and Mr. Beggs may suggest that advisory clients implement investment advice by purchasing securities products through a commission-based LPL Financial account in addition to an advisory account.

The receipt of commissions creates an incentive for Mr. Pinkerton, Mr. Glendening and Mr. Beggs to recommend those products for which he will receive a commission. Consequently, the objectivity of the advice rendered to clients could be biased. Mr. Pinkerton, Mr. Glendening and Mr. Beggs controls for this potential conflict of interest by discussing with clients the benefits and negatives of establishing a fee-based account through Pinkerton Retirement Specialists versus establishing a commission-based account through LPL Financial.

Clients are never obligated or required to establish accounts through Pinkerton Retirement Specialists, Inc, or LPL Financial. However, if a client does not choose to accept Mr. Pinkerton, Mr. Glendening and Mr. Beggs’s advice or decides not to establish an account through LPL Financial, Mr. Pinkerton, Mr. Glendening and Mr. Beggs may not be able to provide management and advisory services to the client. Clients should understand that, due to certain regulatory constraints, Mr. Pinkerton, Mr. Glendening and Mr. Beggs, in his capacity as a LPL Financial registered representative must place all purchases and sales of securities products in commission-based brokerage accounts through LPL Financial or other LPL Financial approved institutions.

Insurance Agent. Mr. Pinkerton, Mr. Glendening and Mr. Beggs are independently licensed to sell insurance and annuity products through various insurance companies. When acting in this capacity, Mr. Pinkerton, Mr. Glendening and Mr. Beggs will receive commissions for selling insurance and annuity products. Mr. Pinkerton, Mr. Glendening and Mr. Beggs may also receive other incentive awards for the



recommendation/sale of annuities and other insurance products. The receipt of compensation and other incentive benefits may affect the judgment of Pinkerton Retirement Specialists' investment advisor representatives when recommending products to its clients. While Mr. Pinkerton, Mr. Glendening and Mr. Beggs endeavor at all times to put the interest of his/her clients first as a part of Pinkerton Retirement Specialists' overall fiduciary duty to clients, clients should be aware that the receipt of commissions and additional compensation itself creates a conflict of interest.

Clients are never obligated or required to purchase insurance products from or through Mr. Pinkerton, Mr. Glendening and Mr. Beggs and may choose any independent insurance agent and insurance company to purchase insurance products. Regardless of the insurance agent selected, the insurance agent or agency will receive normal commissions from the sale.

Additional Other Business Activities. Mr. Pinkerton is the owner or control person of the following entities: Pinkerton Investments, Inc. and Pinkerton Family Heritage, LP. These entities are not held out to the public and do not provide services (financial or otherwise). Mr. Pinkerton spends less than 5% of his time on these activities.

He is the owner of Pinkerton Financial Corp. which provides consulting services to financial professionals through workshops, seminars and training events. Such services are provided solely to financial professionals and not to the underlying investment clients of Pinkerton Retirement Specialists. Mr. Pinkerton spends approximately less than 5% of his time on this activity.

Finally, Mr. Pinkerton is also the owner/control person of Rockford Bay Ranch, a non-investment related business that has no material impact on advisory clients or Mr. Pinkerton's investment activities other than a time commitment. Mr. Pinkerton spends less than 5% of his time engaged in the ranching activities of Rockford Bay Ranch.

#### ***Item 5 – Additional Compensation***

In addition to the description of additional compensation provided in Item 4 above, certain product sponsors may provide Mr. Pinkerton, Mr. Glendening and Mr. Beggs with other economic benefits as a result of Mr. Pinkerton, Mr. Glendening and Mr. Beggs's recommendation or sale of the product sponsors' investments. The economic benefits received by Mr. Pinkerton, Mr. Glendening and Mr. Beggs from Pinkerton Retirement Specialists and product sponsors can include but are not limited to, financial assistance or the sponsorship of conferences and educational sessions, marketing support, incentive awards, payment of travel expenses, and tools to assist Mr. Pinkerton, Mr. Glendening and Mr. Beggs in providing various services to clients. Although Pinkerton Retirement Specialists and LPL Financial endeavor at all times to put the interest of its clients ahead of its own or those of its officers, directors, or representatives, these arrangements present a conflict of interest that may affect the judgment of Mr. Pinkerton, Mr. Glendening and Mr. Beggs.

#### ***Item 6 – Supervision***

Ron Glendening is the Chief Compliance Officer of Pinkerton Retirement Specialists and ultimately responsible for supervising activities and services provided by the firm including the services provided by Mr. Pinkerton and Mr. Beggs. Investment accounts and advice provided by the Firm are reviewed as frequently as weekly by Mr. Glendening. Mr. Glendening can be contacted at 208-667-8998.