

**FORM ADV****Uniform Application for Investment Adviser Registration****Part II - Page 1**

Name of Investment Adviser: <b>McIlrath &amp; Eck, LLC</b>				
Address: (Number and Street)	(City)	(State)	(Zip Code)	Area Code: Telephone Number:
<b>16404 Smokey Point Blvd., Suite 305</b>	<b>Arlington</b>	<b>WA</b>	<b>98223</b>	<b>( 360 ) 651-9308</b>

**This part of Form ADV gives information about the investment adviser and its business for the use of clients.  
The information has not been approved or verified by any government authority.**

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(Schedules A, B, C, D, and E are included with Part I of this Form, for the use of regulatory bodies, and are not distributed to clients.)

**FORM ADV****Part II - Page 2**

Applicant:

**McIlrath & Eck, LLC**

SEC File Number:

801-

Date:

**March 12, 2008**

## Definitions for Part II

Related person - Any officer, director or partner of applicant or any person directly or indirectly controlling, controlled by, or under common control with the applicant, including any non-clerical, non-ministerial employee.

Investment Supervisory Services - Giving continuous investment advice to a client (or making investments for the client) based on the individual needs of the client. Individual needs include, for example, the nature of other client assets and the client's personal and family obligations.

1. **A. Advisory Services and Fees.** (check the applicable boxes)

For each type of service provided, state the approximate % of total advisory billings from that service.

(See instruction below.)

Applicant:

- |                                     |     |   |     |
|-------------------------------------|-----|---|-----|
| <input checked="" type="checkbox"/> | (1) | Provides investment supervisory services .....  | 25% |
| <input type="checkbox"/>            | (2) | Manages investment advisory accounts not involving investment supervisory services .....  | %   |
| <input checked="" type="checkbox"/> | (3) | Furnishes investment advice through consultations not included in either service described above .....  | 35% |
| <input type="checkbox"/>            | (4) | Issues periodicals about securities by subscription .....   | %   |
| <input type="checkbox"/>            | (5) | Issues special reports about securities not included in any service described above .....   | %   |
| <input type="checkbox"/>            | (6) | Issues, not as part of any service described above, any charts, graphs, formulas, or other devices which clients may use to evaluate securities ..... | %   |
| <input checked="" type="checkbox"/> | (7) | On more than an occasional basis, furnishes advice to clients on matters not involving securities .....   | 40% |
| <input type="checkbox"/>            | (8) | Provides a timing service .....   | %   |
| <input type="checkbox"/>            | (9) | Furnishes advice about securities in any manner not described above .....   | %   |

(Percentages should be based on applicant's last fiscal year. If applicant has not completed its first fiscal year, provide estimates of advisory billings for that year and state that the percentages are estimates.)

B. Does the applicant call any of the services it checked above financial planning or some similar term? .....

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

C. Applicant offers investment advisory services for: (check all that apply):

- |                                     |     |  |                          |     |                   |
|-------------------------------------|-----|--|--------------------------|-----|-------------------|
| <input checked="" type="checkbox"/> | (1) | A percentage of assets under management      | <input type="checkbox"/> | (4) | Subscription fees |
| <input checked="" type="checkbox"/> | (2) | Hourly charges                               | <input type="checkbox"/> | (5) | Commissions       |
| <input checked="" type="checkbox"/> | (3) | Fixed fees (not including subscription fees) | <input type="checkbox"/> | (6) | Other             |

D. For each checked box in A above, describe on Schedule F:

- the services provided, including the name of any publication or report issued by the adviser on a subscription basis or for a fee
- applicant's basic fee schedule, how fees are charged and whether its fees are negotiable
- when compensation is payable, and if compensation is payable before service is provided, how a client may get a refund or may terminate an investment advisory contract before its expiration date

2. **Types of Clients** - Applicant generally provides investment advice to: (check those that apply)

- |                                     |    |                                  |                                     |    |   |
|-------------------------------------|----|----------------------------------|-------------------------------------|----|---|
| <input checked="" type="checkbox"/> | A. | Individuals                      | <input checked="" type="checkbox"/> | E. | Trusts, estates, or charitable organizations                    |
| <input type="checkbox"/>            | B. | Banks or thrift institutions     | <input checked="" type="checkbox"/> | F. | Corporations or business entities other than those listed above |
| <input type="checkbox"/>            | C. | Investment companies             | <input type="checkbox"/>            | G. | Other (describe on Schedule F)                                  |
| <input checked="" type="checkbox"/> | D. | Pension and profit sharing plans |                                     |    |   |

**Answer all items. Complete amended pages in full, circle amended items and file with execution page (page 1).**

**FORM ADV****Part II - Page 3**

Applicant:

McIlrath &amp; Eck, LLC

SEC File Number:

801-

Date:

September 28, 2007

**3. Types of Investments.** Applicant offers advice on the following: (check those that apply)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> A. Equity Securities                   | <input checked="" type="checkbox"/> H. United States government securities     |
| <input checked="" type="checkbox"/> (1) exchange-listed securities         |  |
| <input checked="" type="checkbox"/> (2) securities traded over-the-counter | <input checked="" type="checkbox"/> I. Options contracts on:                   |
| <input checked="" type="checkbox"/> (3) foreign issues                     | <input checked="" type="checkbox"/> (1) securities                             |
|  | <input type="checkbox"/> (2) commodities                                       |
| <input checked="" type="checkbox"/> B. Warrants                            |  |
| <input checked="" type="checkbox"/> C. Corporate debt securities           | <input type="checkbox"/> J. Futures contracts on:                              |
| (other than commercial paper)  | <input type="checkbox"/> (1) tangibles   |
|  | <input type="checkbox"/> (2) intangibles                                       |
| <input checked="" type="checkbox"/> D. Commercial paper                    |  |
| <input checked="" type="checkbox"/> E. Certificates of deposit             | <input checked="" type="checkbox"/> K. Interests in partnerships investing in: |
| <input checked="" type="checkbox"/> F. Municipal securities                | <input checked="" type="checkbox"/> (1) real estate                            |
|  | <input type="checkbox"/> (2) oil and gas interests                             |
| <input checked="" type="checkbox"/> G. Investment company securities       | <input checked="" type="checkbox"/> (3) other (explain on Schedule F)          |
| <input checked="" type="checkbox"/> (1) variable life insurance            | <input type="checkbox"/> L. Other (explain on Schedule F)                      |
| <input checked="" type="checkbox"/> (2) variable annuities                 |  |
| <input checked="" type="checkbox"/> (3) mutual fund shares                 |  |

**4. Methods of Analysis, Sources of Information, and Investment Strategies.****A.** Applicant's security analysis methods include: (check those that apply)

- |   |  |
|---|--|
| (1) <input checked="" type="checkbox"/> Charting    | (4) <input checked="" type="checkbox"/> Cyclical           |
| (2) <input checked="" type="checkbox"/> Fundamental | (5) <input type="checkbox"/> Other (explain on Schedule F) |
| (3) <input checked="" type="checkbox"/> Technical   |  |

**B.** The main sources of information applicant uses include: (check those that apply)

- |   |   |
|---|---|
| (1) <input checked="" type="checkbox"/> Financial newspapers and magazines    | (5) <input checked="" type="checkbox"/> Timing services   |
| (2) <input checked="" type="checkbox"/> Inspections of corporate activities   | (6) <input checked="" type="checkbox"/> Annual reports, prospectuses, filings with the Securities and Exchange Commission |
| (3) <input checked="" type="checkbox"/> Research materials prepared by others | (7) <input checked="" type="checkbox"/> Company press releases  |
| (4) <input checked="" type="checkbox"/> Corporate rating services             | (8) <input type="checkbox"/> Other (explain on Schedule F)  |

**C.** The investment strategies used to implement any investment advice given to clients include: (check those that apply)

- |  |   |
|--|---|
| (1) <input checked="" type="checkbox"/> Long term purchases<br>(securities held at least a year) | (5) <input checked="" type="checkbox"/> Margin transactions   |
| (2) <input checked="" type="checkbox"/> Short term purchases<br>(securities sold within a year)  | (6) <input checked="" type="checkbox"/> Option writing, including covered options,<br>uncovered options or spreading strategies |
| (3) <input checked="" type="checkbox"/> Trading (securities sold within 30 days)                 | (7) <input type="checkbox"/> Other (explain on Schedule F)  |
| (4) <input checked="" type="checkbox"/> Short sales  |   |

Answer all items. Complete amended pages in full, circle amended items and file with execution page (page 1).

**FORM ADV****Part II - Page 4**

Applicant:

McIlrath &amp; Eck, LLC

SEC File Number:

801-

Date:

September 28, 2007

**5. Education and Business Standards.**

Are there any general standards of education or business experience that applicant requires of those involved in determining or giving investment advice to clients? . . . . .

Yes No  
☒ ☐

(If yes, describe these standards on Schedule F.)

**6. Education and Business Background.**

For:

- each member of the investment committee or group that determines general investment advice to be given to clients, or
- if the applicant has no investment committee or group, each individual who determines general investment advice given to clients (if more than five, respond only for their supervisors)
- each principal executive officer of applicant or each person with similar status or performing similar functions.

On Schedule F, give the:

- |                 |  |
|-----------------|--|
| • name          | • formal education after high school               |
| • year of birth | • business background for the preceding five years |

**7. Other Business Activities.** (check those that apply)

- ☐ A. Applicant is actively engaged in a business other than giving investment advice.
- ☒ B. Applicant sells products or services other than investment advice to clients.
- ☐ C. The principal business of applicant or its principal executive officers involves something other than providing investment advice.

(For each checked box describe the other activities, including the time spent on them, on Schedule F.)

**8. Other Financial Industry Activities or Affiliations.** (check those that apply)

- ☐ A. Applicant is registered (or has an application pending) as a securities broker-dealer.
- ☐ B. Applicant is registered (or has an application pending) as a futures commission merchant, commodity pool operator or commodity trading adviser.
- C. Applicant has arrangements that are material to its advisory business or its clients with a related person who is a:
- |  |  |
|--|--|
| <input type="checkbox"/> (1) broker-dealer   | <input type="checkbox"/> (7) accounting firm                                       |
| <input type="checkbox"/> (2) investment company  | <input checked="" type="checkbox"/> (8) law firm                                   |
| <input type="checkbox"/> (3) other investment adviser  | <input checked="" type="checkbox"/> (9) insurance company or agency                |
| <input type="checkbox"/> (4) financial planning firm   | <input type="checkbox"/> (10) pension consultant                                   |
| <input type="checkbox"/> (5) commodity pool operator, commodity trading adviser or futures commission merchant | <input type="checkbox"/> (11) real estate broker or dealer                         |
| <input type="checkbox"/> (6) banking or thrift institution   | <input type="checkbox"/> (12) entity that creates or packages limited partnerships |

(For each checked box in C, on Schedule F identify the related person and describe the relationship and the arrangements.)

- D. Is applicant or a related person a general partner in any partnership in which clients are solicited to invest? . . . . .
- Yes No  
☐ ☒

(If yes, describe on Schedule F the partnerships and what they invest in.)

Answer all items. Complete amended pages in full, circle amended items and file with execution page (page 1).

**FORM ADV****Part II - Page 5**

Applicant:

McIlrath &amp; Eck, LLC

SEC File Number:

801-

Date:

September 28, 2007

**9. Participation or Interest in Client Transactions.**

Applicant or a related person: (check those that apply)

- ☐ A. As principal, buys securities for itself from or sells securities it owns to any client.
- ☐ B. As broker or agent effects securities transactions for compensation for any client.
- ☐ C. As broker or agent for any person other than a client effects transactions in which client securities are sold to or bought from a brokerage customer.
- ☒ D. Recommends to clients that they buy or sell securities or investment products in which the applicant or a related person has some financial interest.
- ☒ E. Buys or sells for itself securities that it also recommends to clients.

(For each box checked, describe on Schedule F when the applicant or a related person engages in these transactions and what restrictions, internal procedures, or disclosures are used for conflicts of interest in those transactions.)

- 10. Conditions for Managing Accounts.** Does the applicant provide investment supervisory services, manage investment advisory accounts or hold itself out as providing financial planning or some similarly termed services *and* impose a minimum dollar value of assets or other conditions for starting or maintaining an account? . . . . .

Yes

No

☒☐

(If yes, describe on Schedule F.)

- 11. Review of Accounts.** If applicant provides investment supervisory services, manages investment advisory accounts, or holds itself out as providing financial planning or some similarly termed services:

- A. Describe below the reviews and reviewers of the accounts. **For reviews**, include their frequency, different levels, and triggering factors. **For reviewers**, include the number of reviewers, their titles and functions, instructions they receive from applicant on performing reviews, and number of accounts assigned each.

**See Schedule F.**

- B. Describe below the nature and frequency of regular reports to clients on their accounts.

**See Schedule F.**

Answer all items. Complete amended pages in full, circle amended items and file with execution page (page 1).

Applicant:

McIlrath &amp; Eck, LLC

SEC File Number:

801-

Date:

September 28, 2007

**12. Investment or Brokerage Discretion.**

A. Does applicant or any related person have authority to determine, without obtaining specific client consent, the:

(1) securities to be bought or sold? . . . . .

Yes No

☒ ☐

(2) amount of the securities to be bought or sold ? . . . . .

Yes No

☒ ☐

(3) broker or dealer to be used ? . . . . .

Yes No

☒ ☐

(4) commission rates paid? . . . . .

Yes No

☒ ☐

B. Does applicant or a related person suggest brokers to clients? . . . . .

Yes No

☒ ☐

For each yes answer to A describe on Schedule F any limitations on the authority. For each yes to A(3), A(4) or B, describe on Schedule F the factors considered in selecting brokers and determining the reasonableness of their commissions. If the value of products, research and services given to the applicant or a related person is a factor, describe:

- the products, research and services
- whether clients may pay commissions higher than those obtainable from other brokers in return for those products and services
- whether research is used to service all of applicant's accounts or just those accounts paying for it; and
- any procedures the applicant used during the last fiscal year to direct client transactions to a particular broker in return for products and research services received.

**13. Additional Compensation.**

Does the applicant or a related person have any arrangements, oral or in writing, where it:

A. is paid cash by or receives some economic benefit (including commissions, equipment or non-research services) from a non-client in connection with giving advice to clients? . . . . .

Yes No

☐ ☒

B. directly or indirectly compensates any person for client referrals? . . . . .

Yes No

☐ ☒

(For each yes, describe the arrangements on Schedule F.)

**14. Balance Sheet.** Applicant must provide a balance sheet for the most recent fiscal year on Schedule G if applicant:

- has custody of client funds or securities (unless applicant is registered or registering only with the Securities and Exchange Commission); or
- requires prepayment of more than \$500 in fees per client and 6 or more months in advance

Has applicant provided a Schedule G balance sheet? . . . . .

Yes No

☐ ☒

**Schedule F of  
Form ADV**

**Continuation Sheet for Form ADV Part II**

Applicant:	SEC File Number:	Date:
McIlrath & Eck, LLC	801-	August 3, 2009

(Do not use this Schedule as a continuation sheet for Form ADV Part I or any other schedules.)

1. Full name of applicant exactly as stated in Item 1A of Part I of Form ADV: <b>McIlrath &amp; Eck, LLC</b>	IRS Empl. Ident. No.: <b>26-1201441</b>																
Item of Form (identify)	Answer																
1.D.	<p>McIlrath &amp; Eck, LLC ("McIlrath &amp; Eck") provides both financial planning services and investment management services. Investment management services will be provided using a "Wrap Fee Program." Clients participating in this program will receive a brochure providing additional information.</p> <p>McIlrath &amp; Eck designs custom portfolios which are tailored to the client. McIlrath &amp; Eck uses personal information provided by the client such as goals, time horizon, tolerance for risk, cash flow and net worth along with the basic concepts of Modern Portfolio Theory to structure a well-diversified portfolio. The custom portfolio becomes our target asset allocation model. McIlrath &amp; Eck uses a combination of active and passive management to select the investments within each asset class. McIlrath &amp; Eck may use a combination of ETF's, mutual funds or individual securities depending on the client situation. The portfolio is monitored on a regular basis and adjusted as necessary in order to maintain our target asset allocation model.</p> <p><i>Investment Management Services</i> Fees for investment services are billed at the beginning of each quarter, calculated on the value of assets under management as of the last day of the previous calendar quarter. Fees are based on the following schedule:</p> <table><thead><tr><th><u>Account Value (Standard)</u></th><th><u>Annual Fee</u></th></tr></thead><tbody><tr><td>Less than \$150,000*</td><td>2.00%</td></tr><tr><td>\$150,000 - \$500,000</td><td>1.80%</td></tr><tr><td>\$500,001 - \$1,000,000</td><td>1.50%</td></tr><tr><td>\$1,000,001 - \$2,000,000</td><td>1.25%</td></tr><tr><td>Accounts over \$2,000,000</td><td>1.10%</td></tr></tbody></table> <p>*McIlrath &amp; Eck generally requires that clients maintain a minimum of \$250,000 in assets under management.</p> <table><thead><tr><th><u>Account Value (Alternative)</u></th><th><u>Annual Fee</u></th></tr></thead><tbody><tr><td>Any account size*</td><td>3.00%</td></tr></tbody></table> <p>*McIlrath &amp; Eck generally requires that clients who participate in alternative investments maintain a minimum of \$3,000 in alternative assets under management.</p> <p>An advisory client may terminate, as of the close of any calendar month, by providing 2 weeks written notice. Upon termination, any prepaid fees will be prorated to the date of termination and unearned fees will be returned to the client. Clients have the option to allow McIlrath &amp; Eck to deduct the fees directly from their account(s). Fees for clients who prefer to pay their fees in a different manner will be due upon receipt of the invoice for the fees.</p> <p><i>Financial and Estate Planning Services</i> In order to develop a comprehensive financial plan McIlrath &amp; Eck meets with each client 3 to 5 times to determine the client's financial situation and goals.</p> <p>Financial and estate planning services are provided for an hourly fee of \$220. In lieu of the hourly fee, clients may elect to negotiate a fixed fee based on the type of plan prepared. Subject to adjustment for non standard plans, client can expect to pay an estimated \$1,500 for a Standard Financial Plan, and \$2,500 for a Financial Planning and Estate Plan. Clients are requested to deposit fifty percent of the estimated or negotiated fee upon execution of the Financial Planning Agreement. An invoice for the remaining balance is issued on completion of the written analysis or other services as specified in the Financial Planning Agreement. The invoice is payable on receipt.</p>	<u>Account Value (Standard)</u>	<u>Annual Fee</u>	Less than \$150,000*	2.00%	\$150,000 - \$500,000	1.80%	\$500,001 - \$1,000,000	1.50%	\$1,000,001 - \$2,000,000	1.25%	Accounts over \$2,000,000	1.10%	<u>Account Value (Alternative)</u>	<u>Annual Fee</u>	Any account size*	3.00%
<u>Account Value (Standard)</u>	<u>Annual Fee</u>																
Less than \$150,000*	2.00%																
\$150,000 - \$500,000	1.80%																
\$500,001 - \$1,000,000	1.50%																
\$1,000,001 - \$2,000,000	1.25%																
Accounts over \$2,000,000	1.10%																
<u>Account Value (Alternative)</u>	<u>Annual Fee</u>																
Any account size*	3.00%																

Complete amended pages in full, circle amended items and file with execution page (page 1).

**Schedule F of  
Form ADV**

**Continuation Sheet for Form ADV Part II**

Applicant:	SEC File Number:	Date:
McIlrath & Eck, LLC	801-	August 3, 2009

(Do not use this Schedule as a continuation sheet for Form ADV Part I or any other schedules.)

1. Full name of applicant exactly as stated in Item 1A of Part I of Form ADV: <b>McIlrath &amp; Eck, LLC</b>		IRS Empl. Ident. No.: <b>26-1201441</b>
Item of Form (identify)	Answer	
	<p><i>Portfolio Research and Asset Allocation Services</i>  McIlrath &amp; Eck offers a service where, without providing or revising a financial plan, it will analyze client holdings and suggest adjustments. This service is provided for an hourly fee of \$220. Clients are requested to deposit fifty percent of the estimated fee upon execution of the Portfolio Research Agreement. An invoice for the remaining balance is issued along with the written recommendations. The invoice is payable on receipt.</p> <p>Clients may terminate their Financial and Estate Planning Services Agreement or Portfolio Research and Asset Allocation Services Agreement upon written notice. Upon termination a client will receive an invoice for time spent gathering information and preparing the plan or recommendations and any prepaid, unearned fees will be returned to the client.</p> <p>McIlrath &amp; Eck believes its fees are competitive, however, lower fees for comparable services may be available from other sources.</p> <p>McIlrath &amp; Eck implements some investment recommendations using Exchange Traded Funds, mutual funds and other types of managed accounts. These ETFs, mutual funds and managed accounts charge asset management fees that are charged indirectly to the client. These fees are in addition to advisory fees paid to McIlrath &amp; Eck.</p> <p>The above describes McIlrath &amp; Eck's basic fee schedule. Arrangements with individual clients will be negotiated with each client based on the level of service to be provided.</p> <p>Clients retain the right and responsibility to vote proxies. McIlrath &amp; Eck does not vote proxies on behalf of client accounts.</p>	
3.L.(3)	McIlrath & Eck also expects to provide advice to clients about partnerships investing in energy related issues.	
5.	As general standards, an undergraduate degree and some prior business experience are required. Graduate work and a specialized business or technical skill are preferred, but are not required. In addition, any associated persons will meet the examination or experience requirements of the states in which they provide investment advisory services.	
6.	<p>Thor H. McIlrath, born 1969.</p> <p><u>Educational Background</u>  CFP, College for Financial Planning, American College</p> <p><u>Business Background</u>  9/07 - Present McIlrath &amp; Eck, LLC, Arlington, WA  Investment Advisory Firm, Managing Member  2/04 - 4/08 Cambridge Investment Research, Arlington, WA  Broker/Dealer, Branch Manager  6/92 - 3/04 Woodbury Financial Services, Yakima, WA  Broker/Dealer, Advisor/Registered Representative</p> <p>Sam K. Eck, born 1944.</p> <p><u>Educational Background</u>  B.A. in Math from the University of Texas  J.D. Law from the University of Texas</p>	

Complete amended pages in full, circle amended items and file with execution page (page 1).



**Schedule F of  
Form ADV**

**Continuation Sheet for Form ADV Part II**

Applicant:	SEC File Number:	Date:
McIlrath & Eck, LLC	801-	August 3, 2009

(Do not use this Schedule as a continuation sheet for Form ADV Part I or any other schedules.)

1. Full name of applicant exactly as stated in Item 1A of Part I of Form ADV: <b>McIlrath &amp; Eck, LLC</b>		IRS Empl. Ident. No.: <b>26-1201441</b>
Item of Form (identify)	Answer	
	<p><u><b>Business Background</b></u>            9/07 - Present McIlrath &amp; Eck, LLC, Arlington, WA            Investment Advisory Firm, Managing Member            6/92 - Present Sam K. Eck, Bellevue, WA            Attorney</p> <p>Brian Wyatt, born 1971.</p> <p><u><b>Educational Background</b></u>            A.A., Yakima Valley Community College            B.S., Central Washington University</p> <p><u><b>Business Background</b></u>            9/07 - Present McIlrath &amp; Eck, LLC, Arlington, WA            Investment Advisory Firm, Financial Analyst, Portfolio Manager            6/96 - 8/06 Drotzmann, Yakima, WA            Interstate Trucking, Controller</p> <p>Charissa Lugg, born 1984, received her B.S. from The Masters College, Santa Clarita, California in 2006.</p> <p><u><b>Business Background</b></u>            9/06 - Present McIlrath &amp; Eck, LLC, Arlington, WA            Investment Advisory Firm, Investment Adviser Representative            8/02 - 6/06 The Masters College, Santa Clarita, CA            College, Student</p>	
7.B. & 8.	<p>Mr. McIlrath is a licensed life insurance agent, and as such sells life insurance and annuities products. Mr. McIlrath may recommend insurance products to clients and may receive commissions for such sales if a client elects to purchase such products through him. The insurance products sold are transacted with a variety of insurance companies on a commission basis.</p> <p>Clients are under no obligation to purchase or apply for any insurance products, or to use Mr. McIlrath as the broker for insurance products purchased. If clients decide to purchase or apply for insurance, or use Mr. McIlrath as the broker for insurance products, a conflict may exist between the interests of McIlrath &amp; Eck and the interests of the client.</p> <p>Mr. Eck, as an attorney, provides legal services to his clients. Mr. Eck expects that some clients to whom he provides legal advice may also become clients of McIlrath &amp; Eck. Clients of Mr. Eck are under no obligation to use the services offered by McIlrath &amp; Eck, and clients of McIlrath &amp; Eck are under no obligation to use the legal services offered by Mr. Eck. Mr. Eck provides some legal analysis to clients as part of McIlrath &amp; Eck's financial planning services.</p>	
9.D. & E.	<p>From time to time, McIlrath &amp; Eck may cause clients to buy a security in which McIlrath &amp; Eck or an associated person has an ownership position, or McIlrath &amp; Eck or an associated person of McIlrath &amp; Eck may purchase a security of the same class as securities held in a client's account. It is McIlrath &amp; Eck's policy not to permit associated persons (or certain of their relatives) to trade in a manner that takes advantage of price movements caused by clients' transactions.</p>	

Complete amended pages in full, circle amended items and file with execution page (page 1).

**Schedule F of  
Form ADV**

**Continuation Sheet for Form ADV Part II**

Applicant:	SEC File Number:	Date:
McIlrath & Eck, LLC	801-	August 3, 2009

(Do not use this Schedule as a continuation sheet for Form ADV Part I or any other schedules.)

1.	Full name of applicant exactly as stated in Item 1A of Part I of Form ADV: <b>McIlrath &amp; Eck, LLC</b>	IRS Empl. Ident. No.: <b>26-1201441</b>
Item of Form (identify)	Answer	
	<p>From time to time, trading by McIlrath &amp; Eck and its associated persons (and certain of their relatives) in particular securities may be restricted in recognition of impending investment decisions on behalf of clients. If transaction orders for a client and McIlrath &amp; Eck (and/or its associated persons and relatives) are not aggregated (see discussion under Item 12.A.), then transaction orders for McIlrath &amp; Eck and its associated persons will be the last orders filled. McIlrath &amp; Eck's members, officers and employees will be required to report all personal securities transactions to McIlrath &amp; Eck quarterly.</p> <p>McIlrath &amp; Eck and its associated persons may purchase or sell specific securities for their own account based on personal investment considerations without regard to whether the purchase or sale of such security is appropriate for clients.</p> <p>McIlrath &amp; Eck has accepted a Code of Ethics which elaborates on the above, prohibits activities considered damaging to clients and/or McIlrath &amp; Eck, provides guidance for accepting gifts and mentions which investment and outside activities are appropriate. Clients may request a copy of McIlrath &amp; Eck's Code of Ethics policy at any time.</p>	
10.	McIlrath & Eck generally requires that clients maintain a minimum of \$250,000 in assets under management. This minimum may be waived at McIlrath & Eck's sole discretion.	
11.A.	<p>REVIEWS: Managed accounts are reviewed periodically. Financial planning clients are responsible for contacting McIlrath &amp; Eck for review of the provided financial plan. McIlrath &amp; Eck recommends at least annual reviews in addition to reviews triggered by changing financial and personal circumstances.</p> <p>REVIEWERS: All client account reviews are performed by Thor McIlrath, Sam Eck, and Brian Wyatt. Messrs. McIlrath and Eck are managing members and Mr. Wyatt is a financial analyst and portfolio manager.</p>	
11.B.	Generally all investment reports are provided during each review cycle with the client, as mutually agreed. Clients also receive account statements from the custodian of the assets at least quarterly.	
12.A.	<p>For some clients, McIlrath &amp; Eck has the authority to execute transactions through the broker previously selected by the client, without obtaining prior written consent for each transaction. Any commissions or transactions fees which may be charged by the broker are fully disclosed to the client by the broker prior to opening the account with the selected broker.</p> <p>McIlrath &amp; Eck may also be authorized to determine the broker to be used and the commission rates at which transactions for client accounts will be effected, with the objective of attaining the most favorable price and market execution for each transaction. In addition to using brokers as "agents" and paying commissions, McIlrath &amp; Eck may effect transactions in securities directly from or to dealers acting as principal at prices that include markups or markdowns and may purchase from underwriters or dealers in public offerings at prices that include compensation to the underwriters and dealers.</p> <p>When selecting a broker-dealer for any transaction or series of transactions McIlrath &amp; Eck may consider a number of factors, including, for example, net price, reputation, financial strength and stability, efficiency of execution and error resolution, block trading and block positioning capabilities, willingness to execute related or unrelated difficult transactions in the future, order of call, offering McIlrath &amp; Eck complete on-line computer access to the data regarding client's account, and other matters involved in the receipt of brokerage services generally.</p>	

Complete amended pages in full, circle amended items and file with execution page (page 1).

**Schedule F of  
Form ADV**

**Continuation Sheet for Form ADV Part II**

Applicant:	SEC File Number:	Date:
McIlrath & Eck, LLC	801-	August 3, 2009

(Do not use this Schedule as a continuation sheet for Form ADV Part I or any other schedules.)

1.	Full name of applicant exactly as stated in Item 1A of Part I of Form ADV: <b>McIlrath &amp; Eck, LLC</b>	IRS Empl. Ident. No.: <b>26-1201441</b>
	Item of Form (identify)	Answer
		<p>McIlrath &amp; Eck does not obligate itself to obtain lowest commission or the best net price for the account on any particular transaction, nor does McIlrath &amp; Eck execute any order in a fashion either preferential to one account relative to other like accounts managed by McIlrath &amp; Eck, or otherwise materially adverse to such other accounts. McIlrath &amp; Eck may effect securities transactions that cause an account to pay a commission that exceeds the commission another broker-dealer would have charged; provided, however that McIlrath &amp; Eck determines in good faith that such commission is reasonable in relation to the value of brokerage, research, and other services provided by such broker-dealer, viewed in terms of either the specific transaction or McIlrath &amp; Eck overall responsibilities to the portfolios over which McIlrath &amp; Eck exercises authority. The receipt of investment information from any broker-dealer executing transactions for McIlrath &amp; Eck will not result in a reduction in McIlrath &amp; Eck's customary and normal research activities. Any such information received from broker-dealers as a consequence of the placement of brokerage business for certain clients may be used by McIlrath &amp; Eck for the benefit of all its clients.</p> <p>McIlrath &amp; Eck performs investment management services for various clients. There are occasions on which portfolio transactions may be executed as part of concurrent authorizations to purchase or sell the same security for numerous accounts served by McIlrath &amp; Eck, some of which accounts may have similar investment objectives. Although such concurrent authorizations potentially could be either advantageous or disadvantageous to any one or more particular accounts, they will be effected only when McIlrath &amp; Eck believes that to do so will be in the best interest of the affected accounts. When such concurrent authorizations occur, the objective will be to allocate the executions in a manner which is deemed equitable to the accounts involved.</p> <p>In some instances, because of a prior relationship between a client and one or more brokers, or for other reasons, a client may instruct McIlrath &amp; Eck to execute any or all securities transactions for their account with or through one or more brokers designated by the client. In such cases, the client is responsible for negotiating the terms and conditions (including, but not limited to, commission rates) relating to all services to be provided by such brokers and the client is satisfied with such terms and conditions. McIlrath &amp; Eck has no responsibility for obtaining the best prices or any particular commission rates for transactions with or through any such broker for such client's account. The client recognizes that it may not obtain rates as low as it might otherwise obtain if McIlrath &amp; Eck had discretion to select broker-dealers other than those chosen by the client. If McIlrath &amp; Eck believes, in its exclusive discretion, that it cannot satisfy its fiduciary duty of best execution by executing a transaction for a client account with a broker designated by the client, McIlrath &amp; Eck may execute that transaction with a different broker-dealer. Any client providing instructions to McIlrath &amp; Eck regarding direction of brokerage transactions must notify McIlrath &amp; Eck in writing if the client desires McIlrath &amp; Eck to cease executing transactions with or through any such broker-dealer.</p>
	12.B.	<p>For some clients, particularly those clients who do currently have a custodian, McIlrath &amp; Eck may recommend a broker. There is no requirement that a client use such broker as McIlrath &amp; Eck recommends. Such recommendations will take into account a number of factors, some of which are transaction fees, custodial fees charged by the broker for holding securities for the client, commission rates, interest charges on debit balances and interest credits on credit balances, quality of execution and recordkeeping and reporting capabilities. McIlrath &amp; Eck will attempt to minimize the total cost for all brokerage services paid by the client. However, it may be the case that the recommended broker charges a higher fee for a particular type of service, such as commission rates, than can be obtained from another broker. It may also be the case that the total costs of all services</p>

Complete amended pages in full, circle amended items and file with execution page (page 1).

**Schedule F of  
Form ADV**

**Continuation Sheet for Form ADV Part II**

Applicant:	SEC File Number:	Date:
McIlrath & Eck, LLC	801-	August 3, 2009

(Do not use this Schedule as a continuation sheet for Form ADV Part I or any other schedules.)

1.	Full name of applicant exactly as stated in Item 1A of Part I of Form ADV: <b>McIlrath &amp; Eck, LLC</b>	IRS Empl. Ident. No.: <b>26-1201441</b>
Item of Form (identify)	Answer	
	provided by the recommended broker may be higher than can be obtained at another broker if McIlrath & Eck determines in good faith that such total costs are reasonable in relation to the value of brokerage services provided by such broker, viewed in terms of McIlrath & Eck's overall responsibilities to the client.	

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