

# Mohlman Asset Management, LLC

## Client Brochure

*This brochure provides information about the qualifications and business practices of Mohlman Asset Management, LLC. If you have any questions about the contents of this brochure, please feel free to contact us at (260) 627-8518 or by email at: [lou@mohlmanassetmanagement.com](mailto:lou@mohlmanassetmanagement.com). 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 Mohlman Asset Management, LLC is also available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov). Mohlman Asset Management, LLC's CRD number is: 148322*

429 E. Dupont Road #210  
Fort Wayne, Indiana, 46825  
(260) 627-8518  
[lou@mohlmanassetmanagement.com](mailto:lou@mohlmanassetmanagement.com)  
[www.mohlmanassetmanagement.com](http://www.mohlmanassetmanagement.com)

*Registration does not imply a certain level of skill or training.*

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## **Item 2: Material Changes**

There are no material changes in this brochure from Mohlman Asset Management, LLC's last annual update filing on February 22, 2014. Material changes relate to Mohlman Asset Management, LLC's policies, practices or conflicts of interests only.

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## Item 4: Advisory Business

### A. Description of the Advisory Firm

This firm has been in business since October 14, 2008, and the principal owner is Louis Gerald Mohlman.

### B. Types of Advisory Services

Mohlman Asset Management, LLC (hereinafter "MAM") offers the following services to advisory clients:

#### *Investment Supervisory Services*

MAM offers ongoing portfolio management services based on the individual goals, objectives, time horizon, and risk tolerance of each client. MAM creates an Investment Policy Statement for each client, which outlines the client's current situation (income, tax levels, and risk tolerance levels) and then constructs a plan (the Investment Policy Statement) to aid in the selection of a portfolio that matches each client's specific situation. Investment Supervisory Services include, but are not limited to, the following:

- |                       |                                |
|-----------------------|--------------------------------|
| • Investment strategy | • Personal investment policy   |
| • Asset allocation    | • Asset selection              |
| • Risk tolerance      | • Regular portfolio monitoring |

MAM evaluates the current investments of each client with respect to their risk tolerance levels and time horizon. MAM will request discretionary authority from clients in order to select securities and execute transactions without permission from the client prior to each transaction. Risk tolerance levels are documented in the Investment Policy Statement, which is given to each client.

#### *Financial Planning*

Financial plans and financial planning may include, but are not limited to: investment planning, life insurance; tax concerns; retirement planning; college planning; and debt/credit planning. These services are based on fixed fees or hourly fees and the final fee structure is documented in Exhibit II of the Financial Planning Agreement.

#### *Performance Based Fees*

Qualified investors may be charged performance fees based on net profits above a mutually agreed upon high water mark.

### *Services Limited to Specific Types of Investments*

MAM limits its money management to mutual funds, equities, bonds, fixed income, debt securities, ETFs, real estate, hedge funds, third party money managers, REITs, insurance products including annuities, private placements, government securities. MAM may use other securities as well to help diversify a portfolio when applicable.

### **C. Client Tailored Services and Client Imposed Restrictions**

MAM offers the same suite of services to all of its clients. However, specific client financial plans and their implementation are dependent upon the client Investment Policy Statement which outlines each client's current situation (income, tax levels, and risk tolerance levels) and is used to construct a client specific plan to aid in the selection of a portfolio that matches restrictions, needs, and targets.

Clients may impose restrictions in investing in certain securities or types of securities in accordance with their values or beliefs. However, if the restrictions prevent MAM from properly servicing the client account, or if the restrictions would require MAM to deviate from its standard suite of services, MAM reserves the right to end the relationship.

### **D. Wrap Fee Programs**

MAM participates in wrap fee programs, which are investment programs where the investor pays one stated fee that includes management fees, transaction costs, fund expenses, and any other administrative fees. MAM manages the investments in the wrap fee program. A portion of the fees paid to the wrap account program will be given to MAM as a management fee.

The Custodian was chosen by the client based on their relatively low transaction fees and access to mutual funds and ETFs. MAM will never charge a premium or commission on transactions, beyond the actual cost imposed by Custodian. MAM participates in the institutional advisor program (the "Program") offered by TD Ameritrade Institutional. TD Ameritrade Institutional is a division of TD Ameritrade Inc., member FINRA/SIPC/NFA ("TD Ameritrade"), an unaffiliated SEC-registered broker-dealer and FINRA member. TD Ameritrade offers to independent investment advisors services which include custody of securities, trade execution, clearance and settlement of transactions. Advisor receives some benefits from TD Ameritrade through its participation in the Program. MAM also uses Fidelity Brokerage Services LLC, (CRD# 7784), Schwab Institutional, a division of Charles Schwab & Co., Inc., (CRD # 5393) and LPL Financial LLC (CRD#6413).

## **E. Amounts under Management**

MAM has the following assets under management:

<b>Discretionary Amounts:</b>	<b>Non-discretionary Amounts:</b>	<b>Date Calculated:</b>
\$110,360,000.00	\$29,317,000.00	12/31/2013

## **Item 5: Fees and Compensation**

### **A. Fee Schedule**

#### *Investment Supervisory Services Fees*

<b>Total Assets Under Management</b>	<b>Annual Fee</b>
\$1 - \$5,000,000	2.00%
\$5,000,001 - \$10,000,000	1.50%
\$10,000,001 - \$20,000,000	1.25%
Above \$20,000,000	1.00%

These fees are negotiable and the final fee schedule is attached as Exhibit II of the Investment Advisory Contract. Fees are paid quarterly in arrears, and clients may terminate their contracts with written notice. Because fees are charged in arrears, no refund policy is necessary. Clients may terminate their accounts without penalty within 5 business days of signing the advisory contract.

Advisory fees are withdrawn directly from the client's accounts with client written authorization.

#### *Financial Planning Fees*

##### *Fixed Fees*

Depending upon the complexity of the situation and the needs of the client, the rate for creating client financial plans is between \$5,000 and \$40,000. Fees are paid in arrears upon completion. Because fees are charged in arrears, no refund is necessary. The fees are

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nonnegotiable and the final fee schedule will be attached as Exhibit II of the Financial Planning Agreement. Clients may terminate their contracts without penalty within five business days of signing the advisory contract.

### ***Hourly Fees***

Depending upon the complexity of the situation and the needs of the client, the hourly fee for these services is between \$50 and \$250. The fees are nonnegotiable and the final fee schedule will be attached as Exhibit II of the Financial Planning Agreement. Fees are paid in arrears upon completion. Because fees are charged in arrears, no refund is necessary. Clients may terminate their contracts without penalty within five business days of signing the advisory contract.

### ***Performance Based Fees***

Qualified investors may be charged performance fees based on net profits above a mutually agreed upon high water mark. Performance fees are charged one of two ways:

1. An absolute performance fee. A negative absolute returns no fee. Positive absolute returns a 1.00% fee.
2. A relative performance fee of 40% of profit above the high water mark.

Each accredited client will complete and sign a new account form indicating their accredited financials. Each year MAM will update the form and have the client sign to confirm.

Examples:

Assume a one-year measurement period:

**Absolute Return Formula:** If the account has a negative total return, there is no fee charged. If the account has a positive return, the fee is 1.00%.

**Relative Return Formula:** A standard index benchmark is selected such as the S&P 500 index. If after one year the account return is equal to or less than the index there is no fee. If the account return was 9% and the benchmark was 10%, then no fee is charged. If the account return is greater than the index, the fee is 40% of the extra profit. If the index return is 8% and the account return is 10%, the total charged fee is 80 basis points (2% extra profit X 40%).

Similar services may be available elsewhere at lower cost to the client.

Performance based fees are nonnegotiable and are paid in arrears, and clients may terminate their contracts with written notice. Because fees are charged in arrears, no refund policy is necessary. Performance Based fees are withdrawn directly from the client's accounts with client written authorization.

## **B. Payment of Fees**

### ***Payment of Investment Supervisory Fees***

Advisory fees are withdrawn directly from the client's accounts with client written authorization. Fees are paid quarterly in arrears.

### ***Payment of Financial Planning Fees***

Hourly Financial Planning fees are paid via check or credit card in arrears upon completion. Because fees are charged in arrears, no refund is necessary.

Fixed Financial Planning fees are paid via check or credit card in arrears upon completion. Because fees are charged in arrears, no refund is necessary.

### ***Payment of Performance Based Fees***

Performance based fees are withdrawn directly from the client's accounts with client written authorization. Fees are paid in arrears.

## **C. Clients Are Responsible For Third Party Fees**

Clients are responsible for the payment of all third party fees (i.e. custodian fees, mutual fund fees, transaction fee etc.). Those fees are separate and distinct from the fees and expenses charged by MAM. Please see Item 12 of this brochure regarding broker/custodian.

## **D. Prepayment of Fees**

MAM collects its fees in arrears. It does not collect fees in advance.

## **E. Outside Compensation For the Sale of Securities to Clients**

Neither MAM nor its supervised persons accept any compensation for the sale of securities or other investment products, including asset-based sales charges or services fees from the sale of mutual funds.

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

MAM accepts performance based fees, fees based on a share of capital gains on or capital appreciation of the assets of a client. MAM also manages accounts that are billed on a share of capital gains on or capital appreciation of the assets of a client. Managing both kinds of accounts at the same time presents a conflict of interest because MAM or its supervised person's have an

incentive to favor accounts for which MAM and its supervised persons receive a performance-based fee. MAM addresses the conflicts by ensuring that clients who have performance based accounts do not receive preferential treatment. MAM provides best execution practices and upholds its fiduciary duty for all clients.

Clients that are paying a performance based fee should be aware that investment advisors have an incentive to invest in riskier investments when paid a performance based fee due to the higher risk/higher reward attributes.

## Item 7: Types of Clients

MAM generally provides investment advice and/or management supervisory services 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

### *Minimum Account Size*

There is an account minimum, \$100,000, which may be waived by the investment advisor, based on the needs of the client and the complexity of the situation.

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

### A. Methods of Analysis and Investment Strategies

MAM's methods of analysis include fundamental analysis, technical analysis, and cyclical analysis.

**Fundamental analysis** involves the analysis of financial statements, the general financial health of companies, and/or the analysis of management or competitive advantages.

**Technical analysis** involves the analysis of past market data; primarily price and volume.

**Cyclical analysis** involved the analysis of business cycles to find favorable conditions for buying and/or selling a security.

**Investing in securities involves a risk of loss that you, as a client, should be prepared to bear.**

### B. Material Risks Involved

MAM uses Long Term Trading, Short Term Trading, Short Sales Covered Calls and Protective Puts strategies.

MAM utilizes investment strategies that are designed to capture market rates of both return and risk. Frequent trading, when done, can affect investment performance, particularly through increased brokerage and other transaction costs and taxes. Short sales generally hold greater risk and clients should be aware that there is a chance of material risk of loss using any of those strategies.

**Investing in securities involves a risk of loss that you, as a client, should be prepared to bear.**

### **C. Risks of Specific Securities Utilized**

MAM can invest in securities that have a small capitalization and are less liquid, buying and selling of these types of securities can impact the trading price, buys pushing the price up and sells pushing the price down. MAM uses trade desks, block orders, and price limit orders to help offset this pricing impact. It may take time to accumulate or decrease a position because of less trading volume.

MAM generally seeks investment strategies that do not involve significant or unusual risk beyond that of the general domestic and/or international equity markets.

**Past performance is not a guarantee of future returns. Investing in securities involves a risk of loss that you, as a client, should be prepared to bear.**

## **Item 9: Disciplinary Information**

In June 2009, Louis Gerald Mohlman entered into an acceptance, waiver & consent agreement with FINRA. Additional information is available on FINRA's website at:  
<http://brokercheck.finra.org/Support/ReportViewer.aspx>

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

### **A. Registration as a Broker/Dealer or Broker/Dealer Representative**

Michael David Mohlman is a registered representative of LPL Financial, LLC. From time to time, he will offer clients advice or products from those activities. Clients should be aware that these services pay a commission or other compensation and involve a conflict of interest, as commissionable products conflict with the fiduciary duties of a registered investment adviser. Mohlman Asset Management LLC always acts in the best interest of the client, including with respect to the sale of commissionable products to advisory clients. Clients are in no way required to purchase such services or products through any

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representative of Mohlman Asset Management LLC in such individual's outside capacities

### **B. Registration as a Futures Commission Merchant, Commodity Pool Operator, or a Commodity Trading Advisor**

Neither MAM nor its representatives are registered as a FCM, CPO, or CTA.

### **C. Registration Relationships Material to this Advisory Business and Possible Conflicts of Interests**

Louis Gerald Mohlman is also President of Mohlman Asset Management Fund, LLC, and a Registered Investment Advisor. From time to time, he may offer clients advice or products from those activities. MAM will always act in the best interest of the client. Mohlman Asset Management Fund, LLC is closed to new investors and will liquidate as investments mature and cash out.

### **D. Selection of Other Advisors or Managers and How This Adviser is Compensated for Those Selections**

MAM does not utilize nor select other advisors or third party managers. All assets are managed by MAM management.

## **Item 11: Code of Ethics, Participation in Transactions, Personal Trading**

### **A. Code of Ethics**

We have a written Code of Ethics that covers the following areas: Prohibited Purchases and Sales, Insider Trading, Personal Securities Transactions, Exempted Transactions, Prohibited Activities, Conflicts of Interest, Gifts and Entertainment, Confidentiality, Service on a Board of Directors, Compliance Procedures, Compliance with Laws and Regulations, Procedures and Reporting, Certification of Compliance, Reporting Violations, Compliance Officer Duties, Training and Education, Recordkeeping, Annual Review, and Sanctions. Clients may request a copy of our Code of Ethics from management.

### **B. Recommendations Involving Material Financial Interests**

MAM does not recommend that clients buy or sell any security in which a related person to MAM has a material financial interest.

### **C. Investing Personal Money in the Same Securities as Clients**

From time to time, representatives of MAM may buy or sell securities for themselves that they also recommend to clients. MAM will always document any transactions that could be construed as conflicts of interest and will always transact client business before their own when similar securities are being bought or sold.

### **D. Trading Securities At/Around the Same Time as Clients' Securities**

From time to time, representatives of MAM may buy or sell securities for themselves at or around the same time as clients. MAM may trade non-mutual fund or non-ETF securities at or around the same time as trading the same security for clients.

## **Item 12: Brokerage Practices**

### **A. Factors Used to Select Custodians and/or Broker/Dealers**

MAM received a loan from LPL Financial in order to assist MAM with transitioning its business onto the LPL Financial custodial platform. This loan will be forgiven by LPL Financial based on the scope of business MAM engages in with LPL Financial, including the amount of MAM's client assets with LPL Financial. This presents a conflict of interest in that MAM has a financial incentive to recommend that you maintain your account with LPL Financial in order to benefit by having the loan forgiven. However, to the extent MAM recommends you use LPL Financial for such services, it is because MAM believes that it is in your best interest to do so based on the quality and pricing of the execution, benefits of an integrated platform for brokerage and advisory accounts, and other services provided by LPL Financial.

The Custodian was chosen based on their relatively low transaction fees and access to mutual funds and ETFs. MAM will never charge a premium or commission on transactions, beyond the actual cost imposed by Custodian. MAM participates in the institutional advisor program (the "Program") offered by TD Ameritrade Institutional. TD Ameritrade Institutional is a division of TD Ameritrade Inc., member FINRA/SIPC/NFA ("TD Ameritrade"), an unaffiliated SEC-registered broker-dealer and FINRA member. TD Ameritrade offers to independent investment advisors services which include custody of securities, trade execution, clearance and settlement of transactions. Advisor receives some benefits from TD Ameritrade through its participation in the Program. MAM also uses Fidelity Brokerage Services LLC, (CRD# 7784), Schwab Institutional, a division of Charles Schwab & Co., Inc., (CRD # 5393) and LPL Financial LLC (CRD#6413).

### ***1. Research and Other Soft-Dollar Benefits***

There is no minimum client number or dollar number that MAM must meet in order to receive free research from the custodian or broker/dealer. There is no incentive to for MAM to direct clients to this particular broker-dealer over other broker-dealers who offer the same services. The first consideration when recommending broker/dealers to clients is best execution.

### ***2. Brokerage for Client Referrals***

MAM receives no referrals from a broker-dealer or third party in exchange for using that broker-dealer or third party.

### ***3. Clients Directing Which Broker/Dealer/Custodian to Use***

MAM allows clients to direct brokerage. MAM may be unable to achieve most favorable execution of client transactions if clients choose to direct brokerage. This may cost clients money because without the ability to direct brokerage MAM may not be able to aggregate orders to reduce transactions costs resulting in higher brokerage commissions and less favorable prices.

## **B. Aggregating (Block) Trading for Multiple Client Accounts**

MAM maintains the ability to block trade purchases across accounts. Block trading may benefit clients by purchasing larger blocks in groups. When compiling block trades MAM will always seek not to favor specific clients with regard to speed of execution or allocation of pricing. If block orders or total investment positions need to be bought over time trades will be allocated each day to all accounts in proportion of each clients percentage to the total trade as long as there had been a total number of shares that the smallest client allocation is at least 100 shares. If the total block trade is too small to allocate to all clients then clients will be selected in a rotating order to receive a given daily allocation. The rotation allocation will take into account allocation size, past execution prices, frequency and times of past allocations. The overall objective is when the block trade is completed all clients will have a fair net total execution value. Clients and MAM representatives may be in a block trade together, if this occurs MAM representatives will be treated equally with all clients in block allocations.

## **Item 13: Reviews of Accounts**

### **A. Frequency and Nature of Periodic Reviews and Who Makes Those Reviews**

Client accounts are reviewed monthly only by Louis Gerald Mohlman, President. Louis Gerald Mohlman is the chief advisor and is instructed to review clients' accounts with regards to their investment policies and risk tolerance levels. All accounts at IA are assigned to this reviewer.

### **B. Factors That Will Trigger a Non-Periodic Review of Client Accounts**

Reviews may be triggered by material market, economic or political events, or by changes in client's financial situations (such as retirement, termination of employment, physical move, or inheritance).

### **C. Content and Frequency of Regular Reports Provided to Clients**

Each client will receive at a monthly written report detailing the clients account performance, which may come from the custodian.

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

### **A. Economic Benefits Provided by Third Parties for Advice Rendered to Clients (Includes Sales Awards or Other Prizes)**

MAM does not receive any economic benefit, directly or indirectly from any third party for advice rendered to MAM clients.

### **B. Compensation to Non - Advisory Personnel for Client Referrals**

MAM directly or indirectly compensates any person/solicitor who is not advisory personnel for client referrals.



## **Item 15: Custody**

MAM does not take custody of client accounts at any time. Custody of client's accounts is held primarily at the custodian. Clients will receive account statements from the custodian and should carefully review those statements.

## **Item 16: Investment Discretion**

For those client accounts where MAM provides ongoing supervision, MAM maintains limited power of authority over client accounts with respect to securities to be bought and sold and amount of securities to be bought and sold. All buying and selling of securities is explained to clients in detail before an advisory relationship has commenced.

## **Item 17: Voting Client Securities (Proxy Voting)**

MAM will accept voting authority for client securities in certain cases. When MAM does accept voting authority for client securities, it will always seek to vote in the best interests of its clients. MAM does not maintain preapproved voting guidelines but relies on the investment committee to determine the appropriate course of action in voting client securities that is in the best interest of the client. Clients may direct MAM on how to vote client securities by communicating their wishes in writing or electronically to MAM. When voting client proxies the investment committee will always hold the interests of the clients above its own interests. Clients of MAM may obtain the voting record of MAM on client securities by contacting MAM at phone number or e-mail address listed on the cover page of this brochure. Clients may obtain a copy of MAM's proxy voting policies and procedures upon request.

## **Item 18: Financial Information**

### **A. Balance Sheet**

MAM does not require nor solicit prepayment of more than \$1,200 in fees per client, six months or more in advance and therefore does not need to include a balance sheet with this brochure.

### **B. Financial Conditions Reasonably Likely to Impair Ability to Meet Contractual Commitments to Clients**

Neither MAM nor its management have any financial conditions that are likely to reasonably impair our ability to meet contractual commitments to clients.

### **C. Bankruptcy Petitions in Previous Ten Years**

Neither MAM nor its management have been the subject of a bankruptcy petition in the last ten years.

## **Item 19: REQUIREMENTS FOR STATE REGISTERED ADVISERS**

### **A. Principal Executive Officers and Management Persons; Their Formal Education and Business Background**

MAM currently has only one management person and only one executive officer; Louis Gerald Mohlman. Louis Gerald Mohlman's education and business background can be found on the Supplemental ADV Part 2B form.

### **B. Other Businesses in Which This Advisory Firm or its Personnel are Engaged and Time Spent on Those (If Any)**

Other business activities for each relevant individual can be found on the Supplemental ADV Part 2B form.

### **C. How Performance Based Fees are Calculated and Degree of Risk to Clients**

MAM accepts performance based fees, fees based on a share of capital gains on or capital appreciation of the assets of a client. MAM also manages accounts that are billed on a share of capital gains on or capital appreciation of the assets of a client. Managing both kinds of accounts at the same time presents a conflict of interest because MAM or its supervised persons have an incentive to favor accounts for which MAM and its supervised persons receive a performance-based fee. MAM addresses the conflicts by ensuring that clients who have performance based accounts do not receive preferential treatment. MAM provides best execution practices and upholds its fiduciary duty for all clients.

Clients that are paying a performance based fee should be aware that investment advisors have an incentive to invest in riskier investments when paid a performance based fee due to the higher risk/higher reward attributes.

### **D. Material Disciplinary Disclosures for Management Persons of this Firm**

In June 2009, Louis Gerald Mohlman entered into an acceptance, waiver & consent agreement with FINRA. Additional information is available on FINRA's website at: <http://brokercheck.finra.org/Support/ReportViewer.aspx>

**E. Material Relationships That Management Persons Have With Issuers of Securities (If Any)**

Neither MAM, nor its management persons, has any relationship or arrangement with issuers of securities.