

Hercules Investments LLC.

Firm Brochure

This brochure provides information about the qualifications and business practices of Hercules Investments LLC. If you have any questions about the contents of this brochure, please contact us at 1-800-729-0417 or by email at Corporate@Hercules-Investments.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 Hercules Investments LLC. is also available on the SEC's website at www.adviserinfo.sec.gov. Hercules Investments LLC.'s CRD number is 304719.

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

Version Date: 04/05/2021

Item 2: Material Changes

Hercules Investments, LLC (“HIL”) is required to advise clients of any material changes to our Firm Brochure (“Brochure”) from our last annual update. If you are receiving this brochure for the first time, this section may not be relevant to you. Hercules reviews and updates our brochure at least annually to ensure that it remains current.

Hercules has the following material changes to report:

- HIL serves as investment adviser to a mutual fund and investors in the fund should consult the fund’s prospectus. This Brochure focuses on HIL’s investment advisory services offered to retail clients and prospective clients.
- HIL has transitioned from state-level registration to registration with the U.S. Securities and Exchange Commission.

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Item 4: Advisory Business

A. Description of the Advisory Firm

This firm has been established since 06/2019, and the principal owner is James A. McDonald.

B. Types of Advisory Services

Hercules Investments LLC. (hereinafter "HIL") offers the following services to advisory clients:

Investment Supervisory Services

HIL offers ongoing portfolio management services based on the individual goals, objectives, time horizon, and risk tolerance of each client. HIL 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
- Asset allocation
- Risk tolerance
- Personal investment policy
- Asset selection
- Regular portfolio monitoring

HIL evaluates the current investments of each client with respect to their risk tolerance levels and time horizon. HIL Risk tolerance levels are documented in the Investment Policy Statement, which is given to each client.

Financial Planning

HIL's financial planning services focus on portfolio construction and dynamic asset allocation which is determined by market conditions and the client's investment goals, financial situation, and risk tolerances. 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 hourly fees and the final fee structure is documented in Exhibit II of the Investment Advisory Contract.

Services Limited to Specific Types of Investments

HIL limits its investment advice and/or money management to mutual funds, equities, bonds, fixed income, ETFs, hedge funds, third party money managers, REITs, private placements, and government securities. HIL may use other securities as well to help diversify a portfolio when applicable.

HIL or its associated person will not receive commissions from the sale of insurance or real estate nor receive fees or other compensation from the sale of securities or other products or services recommended in the financial plan or otherwise has a conflict of interest.

HIL client is under no obligation to act on the HIL's or its associated person's recommendation.

If HIL client elects to act on any of the recommendations, the client is under no obligation to effect the transaction through HIL or its associated person.

C. Client Tailored Services and Client Imposed Restrictions

HIL 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 HIL from properly servicing the client account, or if the restrictions would require HIL to deviate from its standard suite of services, HIL reserves the right to end the relationship.

D. Wrap Fee Programs

HIL does not participate in any wrap fee programs.

E. Amounts Under Management

HIL has the following assets under management:

Discretionary Amounts:	Non-discretionary Amounts:	Date Calculated:
\$ 33,200,000	\$ 0	December 2020

Item 5: Fees and Compensation

A. Fee Schedule

Investment Supervisory Services Fees

Total Assets Under Management	Annual Fee
All Amounts	2.0%

These fees are negotiable and the final fee schedule is attached as Exhibit II of the Investment Advisory Contract. Fees are paid monthly in arrears, and clients may terminate their contracts with one day 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. In cases where HIL fees are directly deducted, HIL is required to a.) Obtain client authorization, b.) Send a copy of the invoice to the client at the same time that the HIL directs invoice to the custodian for payment, c.) Disclose that the custodian will send quarterly invoices to the client wherein HIL fees are itemized. Lower fees for comparable services may be available from other sources.

Performance Based Fees

Investors who meet the "Qualified Client" minimum legal eligibility standards and who desire customized risk management advisory services will be charged a performance fee based equal to 20% on net profits above the high water mark in addition to a 2.00% AUM fee. Fees are charged monthly in arrears based off the ending balance of the Month. No fee is charged until the accounts show a profit. Once profit is established, the fee schedule described above goes into effect.

Financial Planning Fees

Hourly Fees

Depending upon the complexity of the situation and the needs of the client, the hourly fee for these services is between \$200 and \$300. The fees are negotiable and the final fee schedule will be attached as Exhibit II of the Investment Advisory Contract. Fees are paid monthly following the completion of work. Clients may terminate their contracts without penalty within five business days of signing the advisory contract.

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 monthly in arrears.

Advisory fees may be invoiced and billed directly to the client with payments due within fifteen days of the end of the month. Clients may select the method in which they are billed.

Payment Performance Based Fees

Performance based fees are paid monthly in arrears.

Payment of Financial Planning Fees

Hourly Financial Planning fees are paid monthly in arrears.

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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 fees, etc.). Those fees are separate and distinct from the fees and expenses charged by HIL. Please see Item 12 of this brochure regarding broker/custodian.

D. Prepayment of Fees

HIL does not collect fees in advance. Fees are paid monthly in arrears, and clients may terminate their contracts with one day's 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 written authorization. In cases where IA fees are directly deducted, IA is

required to a.) Obtain client authorization, b.) Send a copy of the invoice to the client at the same time that the IA directs invoice to the custodian for payment, c.) Disclose that the custodian will send quarterly invoices to the client wherein IA fees are itemized. There is no account minimum. Lower fees for comparable services may be available from other sources.

E. Outside Compensation For the Sale of Securities to Clients

Neither HIL 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

HIL manages accounts that are not billed on performance-based fees as well as 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 HIL or its supervised person's have an incentive to favor accounts for which HIL and its supervised persons receive a performance-based fee. HIL addresses the conflicts by ensuring that clients who have performance-based accounts do not receive preferential treatment. HIL 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

HIL generally provides investment advice and/or management supervisory services to the following Types of Clients:

- ❖ Individuals
- ❖ High-Net-Worth Individuals

Minimum Account Size

There is an account minimum, \$250,000.00 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

Methods of Analysis

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

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.

Investment Strategies

HIL uses long term trading, short term trading, and margin transactions strategies.

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

B. Material Risks Involved

Methods of Analysis

Technical analysis attempts to predict a future stock price or direction based on market trends. The assumption is that the market follows discernible patterns and if these patterns can be identified then a prediction can be made. The risk is that markets do not always follow patterns and relying solely on this method may not work long term.

Cyclical analysis assumes that the markets react in cyclical patterns which, once identified, can be leveraged to provide performance. The risks with this strategy are two-fold : 1) the markets do not always repeat cyclical patterns and 2) if too many investors begin to implement this strategy, it changes the very cycles they are trying to take advantage of.

Investment Strategies

Long term trading is 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 term trading and margin transactions generally hold greater risk and clients should be aware that there is a chance of material risk of loss using any of those strategies.

This material is not intended to be relied upon as a forecast, research or investment advice, and is not a recommendation, offer or solicitation to buy or sell any securities or to adopt any investment strategy. The opinions expressed are as of its stamped publication date, and may change as subsequent conditions vary. The information and opinions contained in this material are derived from proprietary and nonproprietary sources deemed by HIL to be reliable, are not necessarily all-inclusive and are not guaranteed as to accuracy. Past performance is no guarantee of future results. There is no guarantee that any forecasts made will come to pass. Reliance upon information in this material is at the sole discretion of the reader. Investment involves risks. International investing involves additional risks, including risks related to foreign currency, limited liquidity, less government regulation and the possibility of substantial volatility due to adverse political, economic or other developments. The two main risks related to fixed income investing are interest rate risk and credit risk. Typically, when interest rates rise, there is a corresponding decline in the market value of bonds. Credit risk refers to the possibility that the issuer of the bond will not be able to make principal and interest payments. Index performance is shown for illustrative purposes only. You cannot invest directly in an index.

C. Risks of Specific Securities Utilized

HIL generally seeks investment strategies that do not involve significant or unusual risk beyond that of the general domestic and/or international equity markets. However, it will utilize margin transactions. Margin transactions generally hold greater risk of capital loss and clients should be aware that there is a chance of material risk of loss using any of those strategies.

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

There are no legal or disciplinary events that are material to a client's or prospective client's evaluation of this advisory business or the integrity of our management. Neither HIL nor its management personnel has ever been involved in a criminal or civil action in domestic, foreign or military court of competent jurisdiction, an administrative proceeding before the SEC, any other federal regulatory agency, any state agency, or any foreign financial regulatory authority, and/or a self-regulatory organization (SRO) proceeding.

Item 10: Other Financial Industry Activities and Affiliations

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

Neither HIL nor its representatives are registered as a broker/dealer or as representatives of a broker/dealer. There is no application pending for any of our management persons as a broker-dealer registration or a registered representative of a broker-dealer.

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

Neither HIL nor its representatives are registered as a FCM, CPO, or CTA. There is no application pending for any of our management persons as a futures commission merchant, commodity pool operator, a commodity trading advisor, or an associated person of the foregoing entities.

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

Neither HIL nor its representatives have any material relationships to this advisory business that would present a possible conflict of interest.

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

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

Item 11: Code of Ethics, Participation or Interest in Client Transactions and 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

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

C. Investing Personal Money in the Same Securities as Clients

From time to time, representatives of HIL may buy or sell securities for themselves that they also recommend to clients. HIL 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.

HIL also addresses potential conflicts by ensuring that no accounts, including its own receive preferential treatment. HIL provides best execution practices and upholds its fiduciary duty for all clients.

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

From time to time, representatives of HIL may buy or sell securities for themselves at or around the same time as clients. HIL will trade client's non-mutual funds and non-ETF securities before they trade their own.

Item 12: Brokerage Practices

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

The Custodian was chosen based on their relatively low transaction fees and access to Index Futures and ETFs. HIL will never charge a premium or commission on transactions, beyond the actual cost imposed by Custodian.

Research and Other Soft-Dollar Benefits receives no research, product, or service other than execution from a broker-dealer or third-party in connection with client securities transactions ("soft dollar benefits").

1. *Brokerage for Client Referrals*

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

2. *Clients Directing Which Broker/Dealer/Custodian to Use*

HIL will not allow clients to direct HIL to use a specific broker-dealer to execute transactions. Clients must use HIL recommended custodian (broker-dealer). Not all investment advisers require their clients to direct brokerage. By requiring clients to use our specific custodian, HIL may be unable to achieve most favorable execution of client transactions and this may cost clients money over using a lower-cost custodian.

B. Aggregating (Block) Trading for Multiple Client Accounts

HIL maintains the ability to block trade purchases across accounts. While block trading may benefit clients by purchasing larger blocks in groups, we do not feel that the clients are at a disadvantage due to the best execution practices of our custodian.

C. Broker/Dealer/Custodian Identification

Interactive Brokers LLC Contact Information:

Depository Trust Company (DTC) #: 534

Business mailing address: 8 Greenwich Office Park
Greenwich, CT, 06831

Business contact number: 203-422-8967

Business hours: 9 am to 6 pm

e-mail address: proserve@interactivebrokers.com

Item 13: Reviews of Accounts

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

Client accounts are reviewed at least monthly by James A. McDonald, Chief Investment Officer. James A. McDonald is the chief advisor and is instructed to review clients' accounts with regards to their investment policies and risk tolerance levels. All accounts at HIL are assigned to this reviewer.

All financial planning accounts are reviewed upon financial plan creation and plan delivery by James A. McDonald, Chief Investment Officer. There is only one level of review and that is the total review conducted to create the financial plan.

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 least monthly a written report detailing the client's account which will come from the custodian.

Clients are provided a one-time financial plan concerning their financial situation. After the presentation of the plan, there are no further reports. Clients may request additional plans or reports for a fee.

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)

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

B. Compensation to Non –Advisory Personnel for Client Referrals

HIL may pay referral fees (non-commission based) to independent solicitors (non-registered representatives) for the referral of their clients to our firm in accordance with Rule 206 (4)-3 of the Investment Advisers Act of 1940.

Item 14: Client Referrals and Other Compensation (Continued)

Such referral fee represents a share of our investment advisory fee charged to our clients. This arrangement will not result in higher costs to clients. In this regard, we maintain Solicitors Agreements in compliance with Rule 206 (4)-3 of the Investment Advisers Act of 1940 and applicable state and federal laws. All clients referred by Solicitors to our firm will be given full written disclosure describing the terms and fee arrangements between our firm and Solicitor(s). In cases where state law requires licensure of solicitors, we ensure that no solicitation fees are paid unless the solicitor is registered as an investment adviser representative of our firm. If we are paying solicitation fees to another registered investment adviser, the licensure of individuals is the other firm's responsibility.

Item 15: Custody

HIL 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 HIL provides ongoing supervision, HIL 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.

Prior to obtaining discretionary authority or access over client accounts, the client must authorize HIL's discretionary authority and access to their account through direct written instruction to the Custodian. HIL does not have access to the client's account or trading authority unless the client independently and directly instructs the custodian to authorize HIL's access to their account.

The client has no limitations or restrictions toward removing HIL's access to or discretionary authority over client's accounts. The client may remove HIL's access and discretionary authority at any time and for any reason by instructing the Custodian to deny HIL's access or discretionary authority over client's account.

Procedures for obtaining client authorization are 1) the obtainment of written authorization between the client and HIL within the Investment Advisory Contract; 2) a disclosure of HIL's business practices through delivery of the ADV Form 2A & 2B; 3) Written authorization to the custodian for HIL to obtain discretionary authority over clients account.

Item 17: Voting Client Securities (Proxy Voting)

HIL will not ask for, nor accept voting authority for client securities. Clients will receive proxies directly from the issuer of the security or the custodian. Clients should direct all proxy questions to the issuer of the security.

Item 18: Financial Information

A. Balance Sheet

HIL 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 HIL 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

HIL has not been the subject of a bankruptcy petition in the last ten years.

Item 20: Business Continuity Plan

I. Emergency Contact Persons

Our firm's emergency contact person is:

- James A. McDonald Jr. CEO, (443)280-5710, derivatives_ace_2005@yahoo.com

These names will be updated in the event of a material change, and the CEO will review them within 17 days of the end of each calendar quarter.

II. Firm Policy

Our firm's policy is to respond to a Significant Business Disruption (SBD) by safeguarding employees' lives and firm property, making a financial and operational assessment, quickly recovering and resuming operations, protecting all of the firm's books and records, and allowing our customers to transact business. In the event we determine we are unable to continue our business, we will assure customers prompt access to their funds and securities.

A. Significant Business Disruptions (SBDs)

Our plan anticipates two kinds of SBDs, internal and external. Internal SBDs affect only our firm's ability to communicate and do business, such as a fire in our building. External SBDs prevent the operation of the securities markets or a number of firms, such as a terrorist attack, a city flood, or a wide-scale, regional disruption. Our response to an external SBD relies more heavily on other organizations and systems, especially on the capabilities of our clearing firm.

B. Approval and Execution Authority

James A. McDonald Jr, CEO, is responsible for approving the plan and for conducting the required annual review. James A. McDonald Jr, CEO, has the authority to execute this BCP.

C. Plan Location and Access

Our firm will maintain copies of its BCP plan and the annual reviews, and the changes that have been made to it for inspection. Two electronic copies of our plan are located on flash drives contained in envelopes labeled "HERCULES INVESTMENTS LLC BCP". These envelopes are stored at 633 W. 5th Street, Suite 6770 Los Angeles, CA 90071 (company office and residence of the CEO)

III. Business Description

HERCULES INVESTMENTS LLC is a registered investment advisory firm that conducts business as an investment advisor to individuals, companies, and small retirement plans. We provide asset management services, retirement plan advisory services and retirement plan administration and recordkeeping services.

For asset management clients, our services involve developing and implementing investment plans and managing client assets on a discretionary basis. We do not act as a broker and our firm does not hold client funds or securities. All assets for our asset management clients are

held at a custodian broker. Our firm deals only in publicly traded securities. We do not advise on any private placements or other non-publicly traded investments.

IV. Office Locations

Our Firm has one office, located at 633 W. 5th Street, Suite 6770 Los Angeles, CA 90071.

V. Customers' Access to Funds and Securities

Our firm does not maintain custody of customers' funds or securities. Assets for plan advisory clients are held at 3rd party custodian. All of these organizations maintain their own BCP and, in the event of an internal or external SBD, we will work with our clients to make them aware of the BCP and help them navigate the processes to access their funds and securities.

In the event the SIPC should determine that any custodian is unable to meet their obligations to customers, SIPC may seek to appoint a trustee to disburse the custodian's assets to customers. We will assist SIPC and the trustee by providing our books and records identifying customer accounts subject to SIPC regulation.

VI. Data Back-Up and Recovery (Hard Copy and Electronic)

Our firm maintains its primary hard copy books and records and its electronic records at HERCULES INVESTMENTS LLC. James A. McDonald Jr. is responsible for the maintenance of these books and records.

We generally scan original client documents and save them on a redundant cloud-based storage platform (currently Google Drive). Unless original hard copy documents are required to be retained, we shred the originals and maintain the records in electronic format.

We maintain our company financial records on a financial software program (QuickBooks). We perform monthly backups of this data and keep a copy at 633 W. 5th Street, Suite 6770, Los Angeles, CA 90071

In the event of an internal or external SBD that causes the loss of our paper records, we will physically recover client records from the custodian firms. For the loss of electronic records, we will either physically recover the storage media or electronically recover data from our back-up site, or, if our primary site is inoperable, continue operations from our back-up site or an alternate location.

VII. Financial and Operational Assessments

A. Operational Risk

In the event of an SBD, we will immediately identify what means will permit us to communicate with our customers, employees, critical business constituents, critical banks, critical counter-parties, and regulators. Although the effects of an SBD will determine the means of alternative communication, the communications options we will employ will include telephone, voice mail and email. In addition, we will retrieve our key activity records as described in the section above, Data Back-Up and Recovery (Hard Copy and Electronic).

B. Financial and Credit Risk

In the event of an SBD, we will determine the value and liquidity of our investments and other assets to evaluate our ability to continue to fund our operations and service our clients. We will contact our custodian firm, clients, and critical banks to apprise them of our financial status. If we determine that we may be unable to meet our obligations to those counter-parties or otherwise continue to fund our operations, we will request additional financing from our bank or other credit sources to fulfill our obligations to our customers and clients. If we cannot remedy our financial situation, we will file appropriate notices with our regulators and immediately take appropriate steps, including instructing our clients to contact their custodians immediately and from that point forward.

VIII. Mission Critical Systems

Our firm's "mission critical systems" are those that ensure prompt and accurate access to client accounts and records and processing of securities transactions. These systems include the systems of our custodian firms to provide custody services and processing of securities transactions, the maintenance of customer accounts, access to customer accounts, and the delivery of funds and securities.

We have primary responsibility for establishing and maintaining our business relationships with our clients and have sole responsibility for our mission critical functions. Our custodian firms provide account access, transaction services, clearance and settlement of securities transactions, the maintenance of customer accounts, access to customer accounts, and the delivery of funds and securities.

Our custodian firms represent that they will advise us of any material changes to their business continuity plan that might affect our ability to maintain our business.

IX. Alternate Communications Between the Firm and Customers, Employees, and Regulators

A. Customers

We now communicate with our customers using the telephone, fax, email, U.S. mail, and in person visits at our firm or at other locations. In the event of an SBD, we will assess which means of communication are still available to us and use the means closest in speed and form (written or oral) to the means that we have used in the past to communicate with the other party. For example, if we have communicated with a party by e-mail but the Internet is unavailable, we will call them on the telephone and follow up where a record is needed with paper copy in the U.S. mail.

B. Employees

We communicate with employees by telephone, fax, email, U.S. mail, and in person at our firm. In the event of an SBD, we will assess which means of communication are still available to use and use the means closest in speed and form (written or oral) to the means we have used in the past to communicate with our employees.

C. Regulators

We are currently registered as an investment advisory firm with the California Department of Business Oversight. We communicate with our regulators using the telephone, e-mail, fax, U.S.

mail, and in person. In the event of an SBD, we will assess which means of communication are still available to us and use the means closest in speed and form (written or oral) to the means that we have used in the past to communicate with the other party.

X. Regulatory Reporting

Our firm is subject to regulation by the SEC and the State of California. We now file reports with our regulators using paper copies in the U.S. mail, and electronically using fax, e-mail, and the Internet. In the event of an SBD, we will check with the SEC and the State of California to determine which means of filing are still available to us and use the means closest in speed and form (written or oral) to our previous filing method. In the event that we cannot contact our regulators, we will continue to file required reports using the communication means available to us.

XI. Disclosure of Business Continuity Plan

We offer to provide it to our clients upon request.

XII. Updates and Annual Review

Our firm will update this plan whenever we have a material change to our operations, structure, business or location or to those of our clearing firm. In addition, our firm will review this BCP annually to modify it for any changes in our operations, structure, business, or location or those of our clearing firm.

XIII. Senior Manager Approval

I have approved this Business Continuity Plan as reasonably designed to enable our firm to meet its obligations to customers in the event of an SBD. Signed: James A. McDonald Jr.

Title: CEO

Date: 06/26/2020