

# PUENTE

— desde 1915 —

*Gestión Patrimonial & Mercado de Capitales*

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## Business Continuity Plan (BCP)

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May 22, 2023

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**FINRA’s Rule 4370 and the provisions of the NASD’s Notice to Members 04-37 require Puente Servicios Financieros, LLC (“PUENTE”/ “Firm”) to design and publish a protocol to reasonably ensure the continuity of its business when confronting a Significant Business Disruption (“SBD”) event.**

## **I. Emergency Contact Persons**

The Firm has designated the following three emergency contact persons:

Noemi Schaefer, Chief Executive Officer (“CEO”)

Cell Phone: (786) 832-0540

Email Address: [nschaefer@puentenet-usa.com](mailto:nschaefer@puentenet-usa.com)

Gil Aikins, Chief Compliance Officer (“CCO”)

Cell Phone: (646) 348-0896

Email Address: [gaikins@puentenet-usa.com](mailto:gaikins@puentenet-usa.com)

The CCO will notify FINRA of any change in this information through FCS (no later than 30 days following the change), and will review and, if necessary, update the information within 17 business days after the end of each calendar year.

*Rule: FINRA Rule 4370(f); NASD Rule 1160.*

## **II. Firm Policy**

Our Firm’s policy is to respond to an SBD prudently and diligently after taking all the necessary precautions to guarantee our employee’s personal safety and the Firm’s property. The Firm will promptly assess the scope of the disruption and take action to recover and resume operations as quickly as possible. The Firm will ensure that all books and records are properly guarded and, that if we are unable to recover promptly, our clients are assured access to their funds and securities through our clearing firm, Pershing, LLC.

### **A. Significant Business Disruptions (SBDs)**

Our plan anticipates two types of SBDs, internal and external. Internal SBDs affect only our Firm’s ability to communicate and do business, such as a blackout or a fire in our building. External SBDs prevent the operation of the securities markets or a number of firms and include, among others: terrorist attacks, hurricanes, social unrest, violence or a wide-scale regional electrical grid disruptions. Our response to an external SBD depends on the ability of other organizations and systems to recover, particularly on the capability of our clearing firm to recover and return us to relative normality.

### **B. Approval and Execution Authority**

The CEO and the CCO are responsible for approving the Plan and conducting the required annual review.

### **C. Plan Location and Access**

Our Firm maintains physical and electronic copies of its BCP, annual reviews, and any updates and supplements are maintained in our internal server and available for inspection.

*Rule: FINRA Rule 4370(b), (d) and (e).*

### **III. Business Description**

PUENTE is a registered securities broker/dealer offering transactional and investment advisory business in equity securities; options; mutual funds; corporate debt securities; government securities; and structured products. The Firm trades fixed income securities, including US corporate debt, US government securities and foreign sovereign and corporate debt.

The Firm introduces brokerage investment accounts to Pershing LLC (“Pershing” or “clearing firm”).

### **IV. Office Location**

Our Office of Supervisory Jurisdiction (“OSJ”) and sole branch office is located at:

801 Brickell Avenue, Suite 2010  
Miami, FL 33131

Our employees can access the building by foot, car, train, or bus.

### **V. Alternative Physical Location(s) of Employees**

In the event of an SBD, we will move our staff from affected office to **either** the home address of an employee closest to our existing location and/or a safe and secure location with access to internet and phone:

The current address and phone number of the alternate office is:

Noemi Schaefer  
2685 SW 133 Ave  
Miramar, FL 33027

Phone: (786) 832-0540

*Rule: FINRA Rule 4370(c)(6).*

## **VI. Customers' Access to Funds and Securities**

PUENTE does not maintain custody of clients' funds or securities; all client funds and securities are maintained by Pershing or Interactive Brokers. In the event of an internal or external SBD, if telephone service is available, our registered representatives will take client orders or instructions and contact our clearing firm on their behalf. If Web access is available, we will post on our Firm's website that clients may access their funds and securities by contacting Pershing's customer service line at (201) 413-3635 or in writing to the address below:

Pershing LLC  
P.O. Box 2065  
Jersey City, New Jersey 07303-2065

Interactive Brokers LLC  
2 Pickwick Plaza  
Greenwich, CT 06830

The Firm makes this information available to clients through its Monthly Statements, Welcome Kit and Website (see Addendum 3 for updated Pershing contact list).

If SIPC determines we are unable to meet obligations to our clients or our liabilities exceed our assets in violation of Securities Exchange Act Rule 15c3-1, SIPC may seek to appoint a trustee to disburse our assets to customers. We will assist SIPC and the trustee by providing our books and records identifying customer accounts subject to SIPC regulation.

*Rules: FINRA Rule 4370(a); Securities Exchange Act Rule 15c3-1; see also 15 U.S.C. § 78eee.*

## **VII. Data Back-Up and Recovery (Hard Copy and Electronic)**

PUENTE maintains an electronic and hard copy of its books and records at the OSJ branch office. Electronic records can be found in the Firm's shared drive, which is backed up daily by an independent data back-up provider and the hard copy within the compliance files. The CCO is responsible for maintenance of these books and records.

In the event of an internal or external SBD that causes loss of our paper records, we will recover them from our back-up site. If our primary site is inoperable, we will resume operations from our alternate location. 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. In other words, if PUENTE's hard drives with data were to crash for whatever reason, the business would recover using the physical files on-site or the cloud backup with Microsoft OneDrive.

*Rule: FINRA Rule 4370(c)(1).*

## **VIII. Financial and Operational Assessments**

### **A. Operational Risk**

In the event of an SBD, we will immediately identify what means permit us to communicate with our clients, employees, critical business constituents, banks, counterparties and

regulators. Although the effects of an SBD determine what means of alternative communication we have, some options we will make use of include our website, email,

telephone, and regular mail. In addition, we will retrieve our key activity records as described in the section above, Data Back-Up and Recovery (Hard Copy and Electronic).

Rules: *FINRA Rules 4370(c)(3), (c)(4), (c)(5), (c)(7), (c)(9), & (g)(2).*

## **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 maintain minimum capital required by regulation. We will contact our clearing firm, critical banks, and investors to apprise them of our financial status. If we determine that we may be unable to meet our obligations to those counterparties or otherwise continue to fund our operations, we will request additional financing from our bank or other credit source to fulfill responsibilities to our clients. If we cannot remedy a capital deficiency, we will file appropriate notices with our regulators and immediately take appropriate steps.

Rules: *FINRA Rules 4370(c)(3), (c)(8) & (g)(2).*

## **IX. Mission Critical Systems**

Our Firm's "mission critical systems" are those that ensure prompt and accurate processing of securities transactions, including order taking, entry, execution, comparison, allocation, clearance and settlement of securities transactions, the maintenance of customer accounts, access to customer accounts and the delivery of funds and securities.

More specifically, these systems include:

- Email (hosted by GLOBAL RELAY)
- NETX360 Order Management and Transmittal
- **IBKR Self-Directed**

We have primary responsibility for establishing and maintaining our business relationships with our clients and have sole responsibility for our mission critical functions of order taking, entry, and execution. Pershing provides, through contract, the comparison, allocation, clearance and settlement of securities transactions, maintenance as well as access to client accounts and delivery of funds and securities.

Our clearing firm contract states they will maintain a business continuity plan and the capacity to execute that plan. Pershing represents that it will advise us of any material changes to its plan that might affect our ability to maintain our business. In the event our clearing firm executes its plan, it represents it will notify us of such execution and provide us equal access to services as its other customers. If we reasonably determine that our clearing firm has not or cannot put its plan in place quickly enough to meet our needs, or is otherwise unable to provide access to such services, our clearing firm represents that it will assist us in seeking services from an alternative source.

Our clearing firm represents that it backs up our records at a remote site. Our clearing firm represents that it operates a back-up operating facility in a geographically separate area with the capability to conduct the same volume of business as its primary site. Our clearing

firm has also confirmed the effectiveness of its back-up arrangements to recover from a wide scale disruption by testing on a regular basis.

Recovery-time objectives provide concrete goals to plan for and test against. They are not, however, hard and fast deadlines that must be met in every emergency, and various external factors surrounding a disruption, such as time of day, scope of disruption and status of critical infrastructure—particularly telecommunications—can affect actual recovery times. Recovery refers to the restoration of clearing and settlement activities after a wide-scale disruption; resumption refers to the capacity to accept and process new transactions and payments after a wide-scale disruption. Our clearing firm has the following SBD recovery time and resumption objectives: recovery time period of 4 hours, depending on the availability of external resources and resumption time within the same business day.

The CCO will periodically review our clearing firm’s capabilities to perform the mission critical functions contracted to perform for our Firm.

## A. Our Firm’s Mission Critical Systems

### **1. Order Taking**

Currently, our Firm receives orders from clients via telephone. In special cases, a Principal may approve an order sent by email, and instant messenger. During an SBD, either internal or external, we will continue to take orders through any of these methods that are available and reliable; in addition, as communications permit, we will inform our clients of alternate ways they can send their orders to us. If necessary, we will advise our clients to place orders directly with Pershing.

### **2. Order Entry**

Currently, our Firm enters Equities and Derivatives and listed bonds electronically with Pershing through its trading platform, NETX360 Order Management or telephonically. We have contacted Pershing and were told that, under its BCP, we can expect order entry services to resume within 4 hours, depending on availability of external resources. Orders for Fixed Income Securities that are not listed are taken verbally and executed via TRACE, also through Pershing.

In the event of an internal SBD, we will enter and send records to our clearing firm by the fastest alternative available or refer our clients to deal directly with Pershing for their orders. In the event of an external SBD, we will maintain the order in electronic or paper format, and deliver it to Pershing by the fastest means available when it resumes operations.

### **3. Order Execution**

We currently execute orders through our clearing firm. In the event of an internal or external SBD, we would execute orders through the fastest alternative means available.



## **B. Mission Critical Systems Provided by Our Clearing Firm**

PUENTE relies, by contract, on our clearing firm to provide order comparison, order allocation, client account maintenance and/or access and delivery of funds and securities.

*Rules: FINRA Rules 3510(c)(2) & (g)(1).*

## **X. Alternate Communications between the Firm and Clients, Employees, and Regulators**

### **A. Clients**

We now communicate with our clients using telephone, email, our website, fax, U.S. mail and in-person visits at our Firm or another location. 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.

*Rule: FINRA Rule 4370(c)(5).*

### **B. Employees**

We currently communicate with our employees via telephone, email, and in person. In the event of an SBD, after assessing which means of communication are still available to us, we will use the means closest in speed and form (written or oral) to communicate with our employees. A contact list will be used by senior management to reach all employees quickly during an SBD. The contact list includes staff cell phone numbers and addresses.

The person to invoke use of the contact list is Noemi Schaefer, CEO, or designee (Principal). Employees will receive a contact list at the time of hire and when a change is made.

*Rule: FINRA Rule 4370(c)(5).*

### **C. Regulators**

We are currently members of the following self-regulatory organizations (SROs), and are also regulated by the Financial Industry Regulatory Authority Inc. ("FINRA"), the Securities Exchange Commission ("SEC") and the state of Florida. We communicate with our regulators by telephone, email, fax, and U.S. mail. 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 communicate with the other party.

*Rule: FINRA Rule 4370(c)(9).*

## **XI. Critical Business Constituents, Banks, and Counter-Parties**

### **A. Business constituents**

We have contacted our critical business constituents (businesses with which we have an ongoing commercial relationship in support of our operating activities, such as vendors providing us critical services), and determined the extent to which we can continue our business relationship with them in light of the internal or external SBD. We will quickly establish alternative arrangements if a business constituent can no longer provide the goods or services when needed, because of an SBD to them or our Firm. Our major suppliers are:

Service	Company	Contact Person	Telephone
Message Archiving	GLOBAL RELAY	Ralph Acevedo	(954)681-8535
FinOP Support	Maven Strategic Solutions	Steven Singer	(877)448-5282
Compliance Support	Blueprint Regulatory Consulting	Gregory Deaver	(914)299-8689
IT Consultants	Decoded Technologies	Ralph Acevedo	(954)681-8535
Custody & Clearing	Pershing	Sary Cedeno	(201) 761-5281
Custody & Clearing	Interactive Brokers	TBC	TBC

*Rules: FINRA Rule 4370(c)(7).*

### **B. Banks**

We have contacted our banks and lenders to determine if they can continue to provide the financing we will need in light of an internal or external SBD. If our banks and other lenders are unable to provide the financing, we will seek alternative financing immediately from our Shareholders.

*Rules: FINRA Rule 4370(c)(7)*

### **C. Counter-Parties**

We have contacted our critical counterparties, such as other broker-dealers or institutional customers, to determine if we will be able to carry out our transactions with them in light of an internal or external SBD. Where the transactions cannot be completed, we will work with our clearing firm or contact those counterparties directly to make alternative arrangements to complete those transactions as soon as possible.

*Rules: FINRA Rule 4370(c)(7).*

## **XII. Regulatory Reporting**

Our Firm is subject to regulation by FINRA, the SEC, and the state of Florida. We file regulatory information, forms and reports with our regulators via the U.S. postal mail or electronically via fax and the internet. In the event of an SBD, we will check with the SEC, FINRA and other regulators to determine which means of filing are still available to us and use the most efficient and effective means to comply with all regulatory requirements. In

the event we cannot contact our regulators, we will continue filing required reports using the communication means available to us.

Our core examiner is:

Financial Industry Regulatory Authority, Florida District Office  
5200 Town Center Circle, Tower 1, Suite 200  
Boca Raton, FL 33486

Tel. (561) 443-8000

*Rule: FINRA Rule 4370(c)(8).*

### **XIII. Disclosure of Business Continuity Plan**

Attached is our written BCP disclosure statement we provide customers at account opening and upon request.

*Rule: FINRA Rule 4370(e).*

### **XIV. Updates and Annual Review**

PUENTE will review, modify and/or update this plan annually and when there are changes in our operations, structure, business or location as well as those of our clearing firm occurs.

*Rule: FINRA Rule 4370(b).*

### **XV. Senior Manager Approval**

Approved on May 22, 2023 by:

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Noemi Schaefer, CEO

\_\_\_\_\_  
Gil Aikins, CCO

*Rule: FINRA Rule 4370(d)*

## **Attachment A: PUENTE Servicios Financieros LLC's Business Continuity Planning**

PUENTE Securities LLC ("PUENTE" or "Firm") has developed a Business Continuity Plan with the protocols required by law to confront events that may significantly disrupt our business. However, since the timing and impact of disasters and disruptions are unpredictable, we are always ready to adapt and improvise critical solutions responding to real life situations. Our Principals are clear: in times of emergency, we give top priority to the physical wellbeing of the people and the protection of our client's financial assets and confidential information.

**Contacting Us** – After a significant business disruption event you should call our main-office telephone, (786) 832-0540, or go to our website for guidance. If you cannot contact us through either mean, you should contact our respective clearing firm, Pershing LLC ("Pershing") at (201) 413-3635 or [www.pershing.com](http://www.pershing.com) and Interactive Brokers LLC ("Interactive") at (888) 919-0022 or [www.interactivebrokers.com](http://www.interactivebrokers.com). Pershing or Interactive, as applicable, will provide you with instructions on how to access your funds and securities, including: entering orders, confirming orders and processing other service-related and money transfer transactions.

**Our Business Continuity Plan** – Our goal when confronted with a significant business disruption event is to recover and renew operations as soon as possible. Our Protocols include safeguards for protecting our employees and property, assessing financial and operational capabilities, protecting the Firm's books and records, and providing access to our customers' assets and transactional ability.

Our business continuity plan addresses: data backup and recovery; all mission critical systems; financial and operational assessments; alternative communications with customers, employees, and regulators; alternate physical location of employees and operations; contact with critical suppliers, contractors, banks and counter-parties; regulatory reporting; and assuring our customers prompt access to their funds and securities even if we are unable to recover.

We have redundancy in our critical functions. Pershing, LLC / Interactive Brokers back up our important records electronically in a different geographical area. While every emergency circumstance poses unique problems depending on its nature, time and severity, PUENTE is confident that in most cases, our clearing firm will be able to restore its own operations, complete transactions and accept new transactions and payments within 4 hours from the time of disruption. Your orders and requests for funds and securities could be delayed during this period.

**Varying Disruptions** – In our case, a significant business disruption event can affect only our Firm's office, the building housing our Firm, the business district where our Firm is located, the city where we are located, or the whole region. Within each of these areas, the severity of the disruption can also vary from minimal to severe. In a disruption to only our Firm or a building housing our Firm, we will transfer our operations to a local site when necessary and expect to recover and resume business within hours during a normal market day, or the next business day. A major disruption affecting our business district, city or region, may force us to transfer our operations to a site outside of the affected area, and recover and resume business within a period of 48 to 72 hours.

In any case, if confronted with a significant business interruption situation, we will continue servicing your needs directly from a different location or by transferring control to our clearing firm. We will make our best effort to notify you of such emergency through our website. If the significant business disruption is so severe that it prevents us from recovering within a reasonable period of time, our customer will have prompt access to their funds and securities through our clearing firm.

**For more information** – If you have questions about our business continuity planning, you can contact our CCO at [gaikins@puentenet-usa.com](mailto:gaikins@puentenet-usa.com).