

Herndon Plant Oakley Ltd.

BUSINESS CONTINUITY PLAN

Client Disclosure Statement

Herndon Plant Oakley has developed a Business Continuity Plan on how we will respond to events that significantly disrupt our business. Since the timing, impact, and disruptions of disasters are unpredictable, we will be flexible in responding to actual events as they occur. With that in mind, we are providing you with this information on our Business Continuity Plan.

Contacting Us – If, after a significant business disruption, you cannot contact us on our main number, 361-888-7611, call our alternative number, 512-386-1088, or go to our website at www.HPO.com.

Our Business Continuity Plan – HPO plans to quickly recover and resume business operations after a significant business disruption, given the scope and severity of the event. Our primary goals are to safeguard the interests of our clients, protect our employees and fulfill our regulatory obligations.

Our Business Continuity Plan addresses: data backup and recovery; all mission critical systems; financial and operational assessments; alternate communications with clients, employees, and regulators; alternate physical location of employees; regulatory reporting; and assures our clients of accessibility to their funds or securities, if we are unable to continue our business.

Our clearing firm, RBC Clearing & Custody, a division of RBC Capital Markets, LLC, backs up our records in a geographically separate area. While every emergency can pose unique problems based on external factors, such as time of day and the severity of the disruption, we have been assured by our clearing firm that its objective is to restore its operations and be able to complete existing transactions and accept new transactions and payments within a timely manner. A delay during this period may occur on orders and requests for funds or securities.

As a client of Herndon Plant Oakley, we recognize that you may need access to your account to sell a position or request a check before we re-establish our telephone service. During this time, HPO will help you with sell/liquidation orders and provide check disbursements if needed. If our firm has declared an emergency and you cannot reach us, contact the HPO office in Austin, TX for assistance at 512-386-1088.

Varying Disruptions – Significant business disruptions can vary in scope, such as only affecting our office, the city where our office is, or the whole region. Within each of these areas, the severity of the disruption can also vary from minimal to severe. In the event of a significant business disruption, we have plans to move to a backup location or remote location as necessary. In either situation, we plan to continue our business, transfer operations to our clearing firm if necessary, and notify you through our website at www.HPO.com or our alternate number, 512-386-1088, on

how to contact us. If the significant business disruption is so severe that it prevents us from staying in business, we will ensure clients prompt access to their funds and securities.

For more information – If you have questions about our Business Continuity Planning, contact us at 800-888-4894.