

Continued business operations are critical for Nightgale Wealth Management, LLC ("NWM"). We will attain continued business operations by following our Business Continuity and Disaster Plan as follows:

### **Emergency Contact Persons**

NWM's two emergency contact persons are: Joshua Moraski, (949) 845-2776, [nightgalewealth@icloud.com](mailto:nightgalewealth@icloud.com) and Karina Moraski, (949)845-2776, [karina@nightgalewealth.com](mailto:karina@nightgalewealth.com). These names will be updated in the event of a material change, and our Executive Representative will review them annually.

### **Firm Policy**

NWM'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 NWM's books and records, and allowing our customers to transact business. In the event that NWM determines we are unable to continue our business; we will assure customers prompt access to their funds and securities.

### **Significant Business Disruptions**

Our plan anticipates two kinds of SBDs, internal and external. Internal SBDs affect only NWM's ability to communicate and do business, such as fire in our building, death or incapacitation of a principal. In the event Joshua Moraski becomes incapacitated or upon their death. In the event of death or incapacitation, the client will be responsible for contacting the custodian and either move their account to a retail account under the custodian or find a new firm and another advisor to work with them. Karina Moraski will notify all critical business constituents as well as all regulators who have jurisdiction over the business of NWM within 24 hours. Karina Moraski will make sure that the credit demands of NWM are met.

Notification shall be given to all clients of NWM within five (5) business days from the death or incapacitation of any key persons of NWM. 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 the Client's respective clearing firm.

### **Significant Technology System Disruption Plan**

In the event of a significant business disruption that results in a significant interruption in access to the firm's technology systems; NWM will implement its business continuity plan as detailed in the firm's policies and procedures manual. In the event of theft, loss, unauthorized exposure, or unauthorized use or access of client information, the incident will be investigated and documented by the CCO. In the event of a technology system breach, NWM will comply with all local and federal laws to communicate accordingly with the affected third parties.

### **Approval and Execution Authority**

Joshua Moraski, Chief Compliance Officer, is responsible for approving the plan and for conducting the required annual review. Joshua Moraski has the authority to execute this BCP.

### **Plan Location and Access**

NWM will maintain copies of its BCP plan and the annual review, and the changes that have been made to it for inspection. An electronic copy of our plan is located in a secure location.

### **Business Description**

Nightgale Wealth Management, LLC ("NWM") was founded in 2025. Joshua Moraski is 95% owner and Karina Moraski is 5% owner.

### **Office Location**

NWM's main office is located at 430 Franklin St. 2<sup>nd</sup> floor Schenectady, NY 12305. Its main telephone number is (949) 845-2776.

### **Alternate Physical Location**

In the event of an SBD, NWM will move business operations to 620 Union St. Schenectady, NY 12305. Its main telephone number is (949)845-2776.

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

NWM does not maintain custody of customer's funds or securities, which are maintained at our clearing firm, Charles Schwab. In the event of an internal or external SBD, if telephone service is available, customers may access their funds and securities by contacting Charles Schwab (312)517-3100.

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

NWM maintains its primary electronic and hard copy books and records at 430 Franklin St. 2<sup>nd</sup> floor Schenectady, NY 12305. NWM backs up its electronic records daily on a web-based backup system in order to allow rapid resumption of the activities of NWM. In the event of an internal or external SBD that causes the loss of our records, NWM will recover them from our electronic back up.

### **Financial Operational Assessments**

#### **Operational Risk**

In the event of an SBD, NWM will immediately identify what means will permit us to communicate with our clients, employees, critical business constituents, critical banks, critical counterparties, and regulators. Although the effects of an SBD will determine the means of alternative communication, the communications options NWM will include our telephone voice mail, and secure e-mail. In addition, NWM will retrieve our key activity records as described in the section above, Data Back-Up and Recovery.

#### **Financial and Credit Risk**

In the event of an SBD, NWM will determine the value and liquidity of our investments and other assets to evaluate our ability to continue to fund our operations and remain in compliance with any net capital requirements. We will contact our clearing firm, critical banks, to apprise them of our financial status. If NWM determines 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 sources to fulfill our obligations to our customers and clients. If we cannot remedy a capital deficiency, we will file appropriate notices with our regulators.

### **Alternate Communications between NWM and Customers, Employees, and Regulators**

#### **Customers**

NWM now communicates with our customers using the telephone, e-mail, our Web site, or U.S. mail. In the event of an SBD, NWM will assess which means of communication are still available and use the means closest in speed and form 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.

#### **Employees/Key Personnel/Vendors/Service Providers and Regulators**

NWM now communicates with other parties using the telephone, e-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 and oral) to the means that we have used in the past to communicate with the other party.

### **Critical Business Constituents**

NWM has 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. NWM will quickly establish alternative arrangements if a business

constituent can no longer provide the needed goods or services when we need them because of an SBD to them or NWM. Our major suppliers/vendors/affiliates are:

Company Name	City, State	Phone	Services Provided
RIA Registrar, LLC	Arden Hills, MN	800-441-1219	Compliance Consultant
Charles Schwab	Westlake, TX	312-517-3100	Custodian
			Sub-Advisor/TPM
			Bank
			IT

### **Regulatory Reporting**

We now file reports with our regulators using paper copies in the U.S. mail, and/or electronically using, e-mail, and the Internet. In the event of an SBD, NWM will check with all appropriate regulators to determine which means of filing are still available to us and use the means closest in speed and form to our previous filing method. In the event that NWM cannot contact our regulators, we will continue to file required reports using the communication means available to us.

### **Disclosure of Business Continuity Plan**

NWM provides in writing a BCP disclosure to customers upon request.

### **Updates and Annual Review**

NWM will review annually and update this plan whenever NWM has a material change to our operations, structure, location or business.

### **Chief Compliance Officer Approval**

I have approved this Business Continuity Plan as reasonably designed to enable NWM to meet its obligations to customers in the event of an SBD.

Signed: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed and updated on: \_\_\_\_\_

### **Employee Acknowledgements**

I have received and understand this Business Continuity Plan.

Signed: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

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