ERISA Fiduciary Disclosure and Acknowledgement

Firm Name: Axxcess Wealth Management, LLC (“we,” “us,” “our”) IAR Name: ____________________

Client Name: ____________________ (“you,” “your”)

Approximate Rollover/Transfer Amount: $____________________

Acknowledgment of our Status as an ERISA Fiduciary

When we provide investment advice to you regarding your retirement plan account or (“individual retirement account”) IRA, we are fiduciaries within the meaning of Title I of the Employee Retirement Income Security Act (“ERISA”) and/or the Internal Revenue Code (“IRC”), as applicable, which are laws governing retirement accounts. The way we make money creates some conflicts with your interests, so we operate under a special rule that requires us to act in your best interest and not put our interests ahead of yours. Under this special rule’s provisions, we must:

- Meet a professional standard of care when making investment recommendations (give prudent advice);
- Never put our financial interests ahead of yours when making recommendations (give loyal advice);
- Avoid misleading statements about conflicts of interest, fees, and investments;
- Follow policies and procedures designed to ensure that we give advice that is in your best interest;
- Charge no more than is reasonable for our services; and
- Give you basic information about conflicts of interest.

Material Conflicts of Interests

Investment advice to take a distribution from an ERISA sponsored plan or to roll over the assets to an IRA, or from investment advice regarding other similar transactions, including rollovers from one ERISA Plan to another, one IRA to another IRA, or from one type of account to another account (e.g., from a commission-based account to a fee-based account), all limited to the extent such rollovers are permitted under applicable law, creates a conflict of interest, as we will earn more in advisory fees as a result of the transaction. **No client is under any obligation to roll over retirement plan assets to an account managed by us.** For further detail on all material conflicts of interest as it relates to our firm and our investment advisor representatives, please refer to our Form ADV2A (“Disclosure Brochure”) and Form ADV3 (“Client Relationship Summary”) provided to you.

Basis for Recommendation

We believe that a recommendation to roll over your retirement plan assets or existing IRA into an IRA managed by us is in your best interest due to the following [Select All That Apply]:

- ☐ Fees and expenses
- ☐ Tax implications
- ☐ Scope of Investment options
- ☐ Enhanced Services
- ☐ Legal Considerations
- ☐ Other (Explain Below)

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IAR Signature: ____________________ Date____________

For Internal use only.

By signing below, I acknowledge the receipt and understanding of this Disclosure and Acknowledgement form, as well as the receipt of the Disclosure Brochure and Client Relationship Summary. I also attest that to the best of my knowledge that any such investment advice is based on my investment profile, including, but not limited to, my investment objectives, risk tolerance, financial circumstances, and needs.

Client Signature: ______________________________ Date____________

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