

APPLICA INC
Form 10-Q/A
November 12, 2004

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UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

FORM 10-Q/A NO. 1

- þ **QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES
EXCHANGE ACT OF 1934
FOR THE QUARTERLY PERIOD ENDED SEPTEMBER 30, 2004**

OR

- o **TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES
EXCHANGE ACT OF 1934
FOR THE TRANSITION PERIOD FROM _____ TO _____**

COMMISSION FILE NUMBER 1-10177

APPLICA INCORPORATED

(Exact Name of Registrant as Specified in its Charter)

Florida

59-1028301

(State or Other Jurisdiction of Incorporation
or Organization)

(I.R.S. Employer Identification Number)

3633 Flamingo Road, Miramar, Florida

33027

(Address Of Principal Executive Offices)

(Zip Code)

(954) 883-1000

(Registrant's Telephone Number, Including Area Code)

Former Name, If Changed Since Last Report:

Not Applicable

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirement for the past 90 days. Yes ☒ No ☐

Indicate by check mark whether the registrant is an accelerated filer (as defined in Rule 12b-2 of the Exchange Act).

Yes ☒ No ☐

Indicate the number of shares outstanding of each of the issuer's classes of common stock, as of the latest practicable date:

Class	Number of shares outstanding on November 5, 2004
Common Stock, \$0.10 par value	24,068,725

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SEPARATION AGREEMENT

SECTION 302 CHIEF EXECUTIVE OFFICER CERTIFICATION

SECTION 302 CHIEF FINANCIAL OFFICER CERTIFICATION

SECTION 906 CHIEF EXECUTIVE OFFICER CERTIFICATION

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PART I. OTHER INFORMATION

Item 6. Exhibits and Reports on Form 8-K.

(a) Exhibits:

- 10.1 Termination and Release Agreement dated November 1, 2004 between Applica Incorporated and Belvin Freidson (Incorporated by reference to Applica's Quarterly Report on Form 10-Q for the quarter ended September 30, 2004)
- 10.2 Termination and Release Agreement dated November 1, 2004 between Applica Incorporated, Durable Manufacturing Limited and Lai Kin (Incorporated by reference to Applica's Quarterly Report on Form 10-Q for the quarter ended September 30, 2004)
- 10.3 Separation Agreement dated August 26, 2004 between Applica Incorporated and David M. Friedson
- 31.1 Certification of Principal Executive Officer Pursuant to Rule 13a-14(a)/15d-14(a)
- 31.2 Certification of Principal Financial Officer Pursuant to Rule 13a-14(a)/15d-14(a)
- 32.1 Certification of Principal Executive Officer Pursuant to 18 U.S.C. 1350
- 32.2 Certification of Chief Financial Officer Pursuant to 18 U.S.C. 1350

(b) Reports on Form 8-K:

Form 8-K dated August 27, 2004 reporting under Item 1.01 Entry into a Material Definitive Agreement and Item 5.02 Departure of Directors or Principal Officers; Election of Directors; Appointment of Principal Officers that David M. Friedson resigned his positions as Chairman of the Board and a director of Applica and that Applica and Mr. Friedson entered into a severance agreement.

Form 8-K dated September 28, 2004 reporting under Item 5.02 Departure of Directors or Principal Officers; Election of Directors; Appointment of Principal Officers that Ware H. Grove was appointed a director of Applica. Mr. Grove was also appointed to serve on the Audit Committee as its financial expert.

Form 8-K dated October 4, 2004 reporting under 8.01 Other Events that Applica issued a press release announcing that it had extended its trademark license agreement with The Black & Decker Corporation through December 2010.

Form 8-K dated October 12, 2004 reporting under Item 1.01. Entry into a Material Definitive Agreement that Applica entered into a new employment agreement with Harry D. Schulman, the President and Chief Executive Officer.

Form 8-K dated November 4, 2004 reporting under Item 2.02 Results of Operations and Financial Condition that Applica issued a press release describing its results of operations

for the quarter ended September 30, 2004 and attaching such press release.

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SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

APPLICA INCORPORATED
(Registrant)

November 11, 2004

By: /s/ Harry D. Schulman
Harry D. Schulman
President and Chief Executive Officer

November 11, 2004

By: /s/ Terry L. Polistina
Terry L. Polistina
Senior Vice President and Chief
Financial Officer (Chief Financial and
Accounting Officer)

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