

NACCO INDUSTRIES INC

Form 8-K

February 18, 2005

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

**FORM 8-K**

**CURRENT REPORT PURSUANT  
TO SECTION 13 OR 15(d) OF THE  
SECURITIES EXCHANGE ACT OF 1934**

Date of report (Date of earliest event reported): February 14, 2005

**NACCO INDUSTRIES, INC.**

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(Exact Name of Registrant as Specified in Charter)

Delaware

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(State or Other Jurisdiction of Incorporation)

1-9172

34-1505819

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(Commission File Number)

(IRS Employer Identification Number)

5875 Landerbrook Drive, Cleveland, OH

44124-4017

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(Address of Principal Executive Offices)

(Zip Code)

(440) 449-9600

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(Registrant's telephone number, including area code)

N/A

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(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- ☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- ☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- ☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- ☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))



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Item 1.01 Entry into a Material Definitive Agreement.

Item 9.01 Financial Statements and Exhibits.

**SIGNATURE**

**EXHIBIT INDEX**

Exhibit 10.1 Agmnt Between NACCO and Gen. Elect. Dec. 15 2004

Exhibit 10.2 Agmnt Between NACCO and Gen. Elect. Feb. 14 2005

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**Item 1.01 Entry into a Material Definitive Agreement.**

On February 14, 2005, NACCO Industries, Inc.'s wholly owned subsidiary, NACCO Materials Handling Group, Inc. (the Company), entered into a letter agreement with General Electric Capital Corporation (GECC) to extend the term of its International Operating Agreement dated April 15, 1998 with GECC (the Agreement) until April 1, 2005. The agreement had previously been extended to February 15, 2005 by a letter agreement dated December 15, 2004.

**Item 9.01 Financial Statements and Exhibits.**

As described in Item 1.01 of this Current Report on Form 8-K, the following Exhibits are filed as part of this Current Report on Form 8-K.

(c) Exhibits

- 10.1 Letter Agreement between NACCO Materials Handling Group, Inc. and General Electric Capital Corporation dated December 15, 2004.
  - 10.2 Letter Agreement between NACCO Materials Handling Group, Inc. and General Electric Capital Corporation dated February 14, 2005.
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**SIGNATURE**

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, hereunto duly authorized.

NACCO INDUSTRIES, INC.

By: /s/ Kenneth C. Schilling  
Name: Kenneth C. Schilling  
Title: Vice President and Controller

Date: February 18, 2005

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**EXHIBIT INDEX**

| Exhibit<br>Number | Description                                                                                                                     |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------|
| 10.1              | Letter Agreement between NACCO Materials Handling Group, Inc. and General Electric Capital Corporation dated December 15, 2004. |
| 10.2              | Letter Agreement between NACCO Materials Handling Group, Inc. and General Electric Capital Corporation dated February 14, 2005. |