#### Edgar Filing: LABARRE DENNIS W - Form 5

LABARRE DENNIS W

Form 5

February 11, 2009

## FORM 5

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

Number: January 31, 2005

3235-0362

**OMB** 

no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction

Check this box if

ANNUAL STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Estimated average burden hours per response... 1.0

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Form 3 Holdings Section 17(a) of the Public Utility Holding Company Act of 1935 or Section

Reported Form 4

30(h) of the Investment Company Act of 1940

Transactions Reported

1. Name and Address of Reporting Person \* 2. Issuer Name and Ticker or Trading 5. Relationship of Reporting Person(s) to Issuer LABARRE DENNIS W Symbol NACCO INDUSTRIES INC [NC] (Check all applicable) (First) 3. Statement for Issuer's Fiscal Year Ended (Last) (Middle) (Month/Day/Year) \_X\_ Director 10% Owner \_ Other (specify Officer (give title 12/31/2008 below) below) NACCO INDUSTRIES, INC., Â 5875 LANDERBROOK DRIVE, STE. 300 (Street) 4. If Amendment, Date Original 6. Individual or Joint/Group Reporting Filed(Month/Day/Year)

### CLEVELAND, OHÂ 44124

(State)

(Zip)

(City)

\_X\_ Form Filed by One Reporting Person \_\_ Form Filed by More than One Reporting

(check applicable line)

(- 3)	()	17 I able	e I - Non-Deri	vative Sec	curitie	s Acqui	irea, Disposea o	i, or Beneficial	iy Ownea
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securi Acquired Disposed (Instr. 3,	d (A) od of (D) 4 and (A) or	))	5. Amount of Securities Beneficially Owned at end of Issuer's Fiscal Year (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
Class A Common Stock	04/01/2008	Â	A4 <u>(1)</u>	85	A	\$0	5,334 (2)	D	Â
Class A Common Stock	04/01/2008	Â	A4(3)	71	A	\$ 0	5,405 (2)	D	Â

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

Persons who respond to the collection of information contained in this form are not required to respond unless

Table I Non Derivative Securities Acquired Disposed of ar Repeticially Owned

SEC 2270 (9-02)

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# Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)		4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount of Underlying Securities (Instr. 3 and 4)		8. Pric Deriva Securi (Instr.
					(A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares	
Class B Common Stock	\$ 0 (4)	Â	Â	Â	Â	(4)	(4)	Class A Common Stock	100	Â

## **Reporting Owners**

Reporting Owner Name / Address

Director 10% Owner Officer Other

LABARRE DENNIS W

NACCO INDUSTRIES, INC.
5875 LANDERBROOK DRIVE, STE. 300

CLEVELAND, OHÂ 44124

### **Signatures**

/s/ Charles A. Bittenbender, attorney-in-fact

02/10/2009

\*\*Signature of Reporting Person

Date

## **Explanation of Responses:**

- \* If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Shares of Class A Common Stock awarded to the Reporting Person as "Required Shares" under the company's Non-Employee Directors' E quity Compensation Plan.
- (2) Each of the Form 4s filed by the Reporting Person on July 2, 2008, October 3, 2008 and January 3, 2009 did not reflect the number of Class A shares acquired on April 1, 2008 which are reported on this Form 5.
- (3) Shares of Class A Common Stock awarded to the Reporting Person as "Voluntary Shares" under the company's Non-Employee Directors' Equity Compensation Plan.
- (4) N/A

Note: File three copies of this Form, one of which must be manually signed. If space provided is insufficient, see Instruction 6 for procedure.

Reporting Owners 2

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