

Edgar Filing: NOBILITY HOMES INC - Form 10-K/A

NOBILITY HOMES INC  
Form 10-K/A  
April 07, 2004

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

FORM 10-K/A

Annual Report Pursuant to Section 13 or 15(d) of  
the Securities Exchange Act of 1934

For the fiscal year ended November 1, 2003

Commission file number 0-6506

NOBILITY HOMES, INC.  
(Name of issuer in its charter)

Florida  
(State or other jurisdiction of  
incorporation or organization)

59-1166102  
(I.R.S. Employer  
Identification No.)

3741 S.W. 7th Street  
Ocala, Florida  
(Address of principal executive offices)

34474  
(Zip Code)

(352) 732-5157  
(Issuer's telephone number, including area code)  
Securities registered under Section 12(b) of the Act:

Title of each class -----	Name of each exchange on which registered -----
None	None

Securities registered pursuant to Section 12(g) of the Act:

Common Stock \$.10 par value  
(Title of Class)

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

Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 of Regulation S-K is not contained herein, and will not be contained, to the best of registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K.

Indicate by checkmark whether the registrant is an accelerated filer (as defined in Rule 12b-2 of the Act). Yes No X

State the aggregate market value of the voting stock held by non-affiliates of the registrant on January 22, 2004, computed by reference to the average high and low prices on that date: \$15,817,543.50

(APPLICABLE ONLY TO CORPORATE ISSUERS)

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Indicate the number of shares outstanding of each of the issuer's classes of common stock, as of January 22, 2004: 4,010,996 shares of common stock.

DOCUMENTS INCORPORATED BY REFERENCE -----	Incorporated at -----
Nobility Homes, Inc. Proxy Statement for the 2004 Annual Meeting of Shareholders	Part III, Items 10, 11, 12, 13 and 24

Nobility Homes, Inc. is hereby amending the following items of its annual report on Form 10-K for the fiscal year ended November 1, 2003:

Part II, Item 9A

Part IV, Item 15

### PART II

#### Item 9A. Controls and Procedures

Evaluation of Disclosure Controls and Procedures. The Company's Chief Executive Officer and Chief Financial Officer have evaluated the effectiveness of the Company's disclosure controls and procedures (as such term is defined in Rules 13a - 14c and 15d - 14(c) under the Securities Exchange Act of 1934, as amended (the "Exchange Act") as of the end of the period covered by this report (the "Evaluation Date"). Based on such evaluation such officers have concluded that, as of the Evaluation Date, the Company's disclosure controls and procedures are effective in alerting them on a timely basis to material information relating to the Company (including its consolidated subsidiaries) required to be included in the Company's reports filed or submitted under the Exchange Act. There were no significant changes in our internal controls or in other factors that could significantly affect these controls subsequent to the date of their evaluation.

### PART IV

#### Item 15. Exhibits, Financial Statement Schedules and Reports on Form 8-K -----

(a) Consolidated Financial Statements and Schedules:

Report of Tedder, James, Worden & Associates, P.A.

Report of PricewaterhouseCoopers LLP

Consolidated Balance Sheets at November 1, 2003 and November 2, 2002

Consolidated Statements of Income for the Years Ended November 1, 2003, November 2, 2002 and November 3, 2001

Consolidated Statements of Changes in Stockholders' Equity for the Years Ended November 1, 2003, November 2, 2002 and November 3, 2001

Consolidated Statements of Cash Flows for the Years Ended November 1, 2003, November 2, 2002 and November 3, 2001

Notes to Consolidated Financial Statements

(b) Reports on Form 8-K:

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None

(c) Exhibits:

3. (a) Nobility's Articles of Incorporation, as amended (filed as an exhibit to Nobility's Form 10-K for the fiscal year ended November 1, 1997 and incorporated herein by reference).
- (b) Bylaws, as amended March 28, 1994, (filed as an exhibit to Nobility's Form 10-KSB for the fiscal year ended October 29, 1994 and incorporated herein by reference.)
10. (a) Joint Venture Agreement with 21st Century Mortgage Corporation (filed as an exhibit to Nobility's Form 10-K for the fiscal year ended November 1, 1997 and incorporated herein by reference).
- (b) Stock Incentive Plan (filed as an exhibit to Nobility's registration statement on Form S-8, registration no. 333-44769, and incorporated herein by reference).
2. (c) Revolving Credit Agreement dated April 18, 2001 with SunTrust Bank, a Georgia state-chartered bank (filed as an exhibit to Nobility's Form 10-K for the fiscal year ended November 3, 2001 and incorporated herein by reference).
- (d) Agreement dated September 7, 2001 between Nobility and Terry E. Trexler relating to use of life insurance proceeds (filed as an exhibit to Nobility's Form 10-K for the fiscal year ended November 3, 2001 and incorporated herein by reference).
13. Consolidated Financial Statements from 2003 Annual Report to Shareholders (incorporated by reference to Exhibit 13 to Nobility's Form 10-K for the fiscal year ended November 1, 2003 filed January 30, 2004).
14. Code of Ethics (incorporated by reference to Exhibit 14 to Nobility's Form 10-K for the fiscal year ended November 1, 2003 filed January 30, 2004).
21. Subsidiaries of Nobility (incorporated by reference to Exhibit 21 to Nobility's Form 10-K for the fiscal year ended November 1, 2003 filed January 30, 2004)..
23. (a) Consent of Tedder, James, Worden & Associates, P.A. (incorporated by reference to Exhibit 23(a) to Nobility's Form 10-K for the fiscal year ended November 1, 2003 filed January 30, 2004).
- (b) Consent of PricewaterhouseCoopers LLP (incorporated by reference to Exhibit 23(b) to Nobility's Form 10-K for the fiscal year ended November 1, 2003 filed January 30, 2004)..
31. (a) Written Statement of Chief Executive Officer pursuant to Section 302 of the Sarbanes-Oxley Act and

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- Rule 13a-14(a) or 15d-14(a) under the Securities Exchange Act of 1934.
- (b) Written Statement of Chief Executive Officer pursuant to Section 302 of the Sarbanes-Oxley Act and Rule 13a-14(a) or 15d-14(a) under the Securities Exchange Act of 1934.
32. (a) Written Statement of Chief Executive Officer pursuant to 18 U.S.C. ss.1350.
- (b) Written Statement of Chief Financial Officer pursuant to 18 U.S.C. ss.1350.

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SIGNATURES

Pursuant to the requirements of Section 13 or 15(d) 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.

NOBILITY HOMES, INC.

DATE: April 5, 2004

By: /s/ Terry E. Trexler

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Terry E. Trexler, Chairman,  
President and Chief Executive Officer

DATE: April 5, 2004

By: /s/ Thomas W. Trexler

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Thomas W. Trexler, Executive Vice  
President, and Chief Executive  
Officer

DATE: April 5, 2004

By: /s/ Lynn J. Cramer, Jr.

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Lynn J. Cramer, Jr., Treasurer  
and Principal Accounting Officer

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EXHIBIT INDEX

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\* Management Remuneration Plan.