

**DEANNE M. KOLL**

ATTORNEY

Direct: (715) 888-1006  
Facsimile: (815) 927-0411  
dkoll@bakkenorman.com

Bakke Norman, S.C.  
1200 Heritage Drive  
P.O. Box 308  
New Richmond, WI 54017-0308

December 30, 2021

Wisconsin Dept. of Workforce Development  
Attn: Dislocated Worker Unit  
P.O. Box 7972  
Madison, WI 53707

***VIA FIRST CLASS MAIL & EMAIL***  
***WIOATitle@dwd.wisconsin.gov***

Jake Woodford, Mayor  
100 N. Appleton Street  
Appleton, WI 54911-4799

***VIA FIRST CLASS MAIL***

**Re: In re: Waupaca Elevator Company, Inc.**  
**Outagamie County Case No: 21 CV 994**

To whom it may concern:

Please be advised that I represent the Court-appointed receiver in the above-referenced matter.

Pursuant to Wis. Stat. § 109.07 and Wis. Admin. Code Ch. DWD 279, enclosed is a copy of the Amended WARN Act Notice, sent to the employees of Waupaca Elevator Company, Inc. ("WEC") on December 30, 2021.

Enclosed is a spreadsheet providing the job titles and positions of the employees of WEC, all of whom are receiving the enclosed notice.

Kindly contact me with any questions.

Sincerely,

**BAKKE NORMAN, S.C.**



Deanne M. Koll

DMK:agn

Enclosures

cc: Rebecca R. DeMarb *w/enclosures* via email

**WEC**  
**Employee Listing**

<b>Hourly or Salaried</b>	<b>Job Title/Department</b>
Hourly	Maintenance Dept
Hourly	Welding Dept
Hourly	Engineeering Dept
Hourly	Wood Dept supervisor
Hourly	Tech Support
Hourly	Installer - WSS
Hourly	Welding Dept
Hourly	Shipping Dept
Hourly	Director of Sales
Hourly	Weld Dept
Hourly	Service - WSS
Hourly	Electrical Dept
Hourly	Weld Dept Supervisor
Hourly	Wood Dept
Hourly	Dealer Account Manager
Hourly	Machine shop
Hourly	Elec Dept
Hourly	Weld Dept
Hourly	Machine shop supervisor
Hourly	Wood Dept
Salaried	Tech Support Manager
Salaried	Engineering Manager
Hourly	Service - WSS
Hourly	Shipping Dept
Hourly	Application Engineer
Hourly	Elec Dept
Hourly	Office Administrator
Hourly	Machine Shop
Hourly	Machine Shop
Hourly	Elec Dept
Salaried	Purchasing
Salaried	Sales Manager - WSS
Salaried	Controllor
Salaried	Production Manager
Hourly	Installer - WSS
Hourly	Machine Shop
Hourly	Dealer Account Manager
Hourly	Administrative Assistant - WSS
Hourly	Machine Shop
Hourly	Weld Dept
Hourly	Elec Dept
Hourly	Electrical Designer

**WEC**  
**Employee Listing**

<b>Hourly or Salaried</b>	<b>Job Title/Department</b>
Hourly	CNC Programmer/Draftsman
Hourly	Application Designer
Hourly	Weld Dept
Hourly	Elec Dept
Hourly	Shipping Dept
Hourly	Machine Shop
Hourly	Elec Dept
Hourly	Shipping Dept Supervisor
Hourly	Parts/Tech Support
Hourly	Maintenance Dept
Hourly	Installer - WSS
Hourly	Dealer Account Manager
Hourly	Inventory Control
Hourly	Elec Dept
Hourly	Elec Dept
Hourly	Machine Shop
Hourly	Elec Dept
Salaried	Vice President Operations

<b>Count</b>	<b>Amount</b>
<b>Hourly</b>	53
<b>Salaried</b>	7
<b>Total</b>	60

**AMENDED NOTICE OF BUSINESS CLOSING OR MASS LAYOFF**

**DATE:** December 30, 2021  
**TO:** All Employees of Waupaca Elevator Company, Inc. (the "Company")  
**FROM:** Waupaca Elevator Company, Inc., by its court-appointed Ch. 128 Receiver, Rebecca R. DeMarb

---

On December 28, 2021, the Company issued you a Notice of Business Closing or Mass Layoff ("Original WARN Notice"). This Amended Notice of Business Closing or Mass Layoff ("Amended WARN Notice") supplements, but does not replace, the Original WARN Notice, and is issued solely to clarify the expected date of business closing or mass layoff as noted below.

I am the court-appointed receiver for the assets of the Company, pursuant to Chapter 128 of the Wisconsin Statutes ("Receiver"). As Receiver, I am focused on keeping the Company operating to allow a sale of an operating entity, with a goal to preserve as many jobs as possible through the sale of the Company's assets. Regrettably, I cannot know for sure that I will be able to sell the assets of the Company to a buyer who will continue operations. If I am not able to find such a buyer, then the Company will undergo a business closing or mass layoff.

As such, pursuant to Federal and Wisconsin law, I have a duty to inform you that the Company is undergoing a business closing or mass layoff, the expected date for which is **February 28, 2022**, that being sixty (60) days from the date of this Notice. The employment site covered by this Notice is: Waupaca Elevator Company, Inc., 1726 N. Ballard Road, Appleton, Wisconsin 54911.

At this time, we do not know if the Company will close. A number of unknowns remain including whether there will be a business closing or mass layoff, what date this may occur, the total number of layoffs, or the positions that will be laid off. We do know that once such layoffs occur or the Company ceases operating, such layoffs or business closure is very likely to be permanent with the employment site closing.

**You should consider any closing or layoff permanent.**

This is a notice required by the Wisconsin Business Closing and Mass Layoff Law and the Federal Worker Adjustment and Retraining Notification ("WARN") Act. In addition, notice is hereby provided pursuant to Wisconsin Statutes § 109.175 that your health insurance and other benefits will cease at the time of your termination, except as may otherwise be extended under the law (COBRA) to continue those health insurance benefits at your own expense.

We are required to inform you that the Wisconsin Department of Workforce Development (DWD) and the 11 Workforce Development Boards (WDBs) throughout state work together in an effort to assist employees affected by business closings and layoffs. The services, programs, and benefits provided by DWD and the WDBs to dislocated workers are free of charge and intended to help you get back to work. The Workforce Development Board serving Appleton, Wisconsin is the Bay Area Workforce Development Board, 520 N. Broadway Suite 320, Green Bay, WI 54303 (920) 617-1384. Job Centers are located in Menasha and Green Bay.

Fox Cities Job Center  
1802 Appleton Rd.  
Menasha, WI 54952  
(920) 997-3272

Brown County Job Center  
310 N. Adams St.  
Green Bay, WI 54301  
(920) 930-6570

The DWD website, <http://dwd.wisconsin.gov/dislocatedworker/> and <http://www.wisconsinjobcenter.org/jobseeker/> are helpful resources that provide information about the types of programs, benefits, and services that may be available to you as a laid off worker. Also, below is the email address for the Department of Workforce Development.

Thank you for your dedicated service to the Company. We regret the need to provide this notice. Please contact the Company's court-appointed receiver, Rebecca R. DeMarb if you need additional information at 608-310-5502 or [rdemarb@dsiconsulting.com](mailto:rdemarb@dsiconsulting.com).

Sincerely,



Rebecca R. DeMarb  
Solely as Receiver for Waupaca Elevator Company, Inc.

cc: Department of Workforce Development  
([WIOATitle@dwd.wisconsin.gov](mailto:WIOATitle@dwd.wisconsin.gov))

Jake Woodford, Mayor  
100 N. Appleton Street  
Appleton, WI 54911-4799