

# LOFINO'S FOOD STORES

VIA CERTIFIED U.S. MAIL #70120470000224586099

Date: July 27, 2012

John B. Weber, Bureau Chief  
Bureau of Workforce Services  
Ohio Department of Job and Family Services  
P.O. Box 1618  
Columbus, OH 43216-1618

RE: Worker Adjustment and Retraining Notification Act – Notice of Plant Closing  
(Partial) and or Mass Layoff


Dear Mr. Weber:

Pursuant to Public Law 100-378, "Worker Adjustment and Retraining Notification Act", the following will serve as the Company's notice to you of a plant closing (partial) or mass layoff affecting Dayton Foods Limited Partnership CUB FOOD stores located at 8245 Springboro Pike Miamisburg, OH 45342 and 6134 Wilmington Pike Dayton, OH 45342.

This action will impact an estimated One Hundred Thirty (130) salary and hourly employees at stores located in Montgomery AND Greene counties in the State of Ohio. This action taken is considered to be a permanent loss of employment and will be effective on or about September 30, 2012.

Attached is a copy of the required Notice to government officials including unit affected, job classifications and number of full time hourly and salary employees impacted.

Respectfully submitted,

  
Darryl E. McGill, PHR  
Director – Human Resources  
Lofino Food Stores  
dmcgill@lofinofoodstores.com  
937.431-1662  
937.431-1678 (fax)

Ohio Department of Job and Family Services  
**NOTICE OF CLOSING OR SUBSTANTIAL LAYOFF**

The Worker Adjustment and Retraining Notification Act of 1988 (P.L. 100-379) requires certain employers to give at least 60 days notice to layoffs or plant/facility closings. Notice must be given to the State Dislocated Employee Unit, local government and employees. Failure to do so makes an employer liable to each aggrieved employee for back pay for each day of violation and benefits. In addition, any such employer shall be subject to a civil penalty of not more than \$500 for each day of violation.

State notice must be submitted to: Rapid Response Program Administrator  
Office of Workforce Development  
Ohio Department of Job and Family Services  
P.O. Box 1618, Columbus, Ohio 43216-1618

The following information must be included:

1. Employer name and address <i>DAYTON FOODS LIMITED PARTNERSHIP</i>		1a. Site of dislocation (plant/facility address) <i>SEE EXHIBIT "A"</i>	
2. Total Ohio workforce <i>130</i> full time                      part time <i>LOB FOODS</i>		3. Total site workforce <i>130</i> full time                      part time	
4a. Nature of planned action <input checked="" type="checkbox"/> Facility closing <input type="checkbox"/> Layoff		4b. Is this action expected to be permanent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, anticipated projected recall date?	
5. Employment loss Number of permanent workers affected <i>130</i> Number of temporary workers affected		6. Effective date of initial separations <i>SEPTEMBER 30, 2012</i>	
7a. Are there multiple layoff dates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		7b. If there are multiple layoff dates, is a schedule attached that includes dates of separation and number of affected employees for each date? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
8. A list of all affected job titles and the number of affected employees in each job classification is attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>EXHIBIT "B"</i>		9. Are any of these job titles covered by bumping rights? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, which?	
10. List each union representing affected employees (attach a list if necessary)			
Union and Local Number <i>UFCW LOCAL 75</i>		Address <i>7250 DOE AVENUE DAYTON OH 45385</i>	
Union chief elected official <i>LENNIE WYATT, PRESIDENT</i>		Telephone & Email <i>(937) 665-0600</i>	
11. Authorized Company Contact Person		12. Authorized Corporate Official	
Name <i>Darryl McGill</i>		Name <i>MICHAEL D. LOHNO, Sr.</i>	
Title <i>Human Resources Director</i>		Title <i>PRESIDENT</i>	
Address <i>Lofino Food Stores</i> <i>3255 Seajay Drive</i>		Address <i>3255 SEAJAY DR. DAYTON, OH 45430</i>	
Telephone <i>Dayton, OH 45430</i> <i>(937) 431-1662</i>		Telephone <i>(937) 431-1662</i>	
Email <i>(937) 431-1678 Fax</i> <i>dmcgill@lofinofoodstores.com</i>		Email	
Signature <i>Darryl McGill, PHR</i>		Signature <i>Michael D. Lohno</i>	

*7/27/2012*

**EXHIBIT A****LOCATIONS & DATE OF CLOSURE****HR72712****Dayton Foods Limited Partnership CUB FOODS****-3255 Seajay Drive****Dayton, OH 45430****PH: 937-431-1662****Fx: 937-431-1678****1.) Closure Date – September 30, 2012****63 Estimated impacted employees****Dayton Mall CUB Foods****8245 Springboro Pike****Miamisburg, OH 45342****2.) Closure Date – September 30, 2012****58 Estimated impacted employees****Sugarcreek CUB Foods****6134 Wilimington Pike****Dayton, OH 45459****3.) Closure Date – September 30, 2012****9 Estimated impacted employees****Support Center****3255 Seajay Drive****Dayton, OH 45430****Total Estimated Impacted Employees****130**

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**Notice of Closing or Substantial Layoff**  
**Dayton Foods Limited Partnership CUB FOODS**  
**including Dayton Mall, Sugarcreek stores and Support Center**  
**Personnel**

<u>Location</u>	<u>Job Title</u>	<u>Total Number Affected</u>		
<b>Dayton Mall</b>		<b>Salary</b>	<b>Hourly</b>	
	Grocery		5	
	Dairy	1	3	
	Gen. Merchandise		1	
	Pharmacy	1	4	
	Service Center		0	
	Produce	1	4	
	Meat	1	6	
	Bakery		2	
	Deli	1	4	
	Seafood		1	
	Liquor		0	
	Administrative	2	1	
	Front End	1	18	
	Maintenance		3	
	Security		0	
	<u>Pricing</u>		<u>3</u>	
	<b>Total Store Impacted</b>	<b>8</b>	<b>55</b>	<b>63</b>

<u>Location</u>	<u>Job Title</u>	<u>Total Number Affected</u>		
<b>Sugarcreek</b>		<b>Salary</b>	<b>Hourly</b>	
	Grocery		4	
	Dairy	1	1	
	Gen. Merchandise		0	
	Pharmacy	2	3	
	Service Center		0	
	Produce	1	3	
	Meat	1	5	
	Bakery		1	
	Deli	1	5	
	Seafood		1	
	Liquor		3	
	Administrative	2	1	
	Front End	1	16	
	Maintenance		3	
	Security		0	
	<u>Pricing</u>		<u>3</u>	
	<b>Total Store Impacted</b>	<b>9</b>	<b>49</b>	<b>58</b>

<b>Support Center (Partial)</b>	<b>Salary</b>	<b>Hourly</b>	
Buyer/Merchandiser	2		
Buyers Assistants		3	
Accountant	1		
Accounting Clerk		2	
Receptionist / HR Assistant		1	
<b>Support Center Total Impacted</b>	<b>3</b>	<b>6</b>	<b>9</b>

***Total – Employees Impacted (Estimated)***

**Location**  
**Affected**

**Total Number**

	<b>Salary</b>	<b>Hourly</b>
<b>Dayton Mall</b>	<b>8</b>	<b>55</b>
<b>Sugarcreek</b>	<b>9</b>	<b>49</b>
<b>Support Center</b>	<b><u>3</u></b>	<b><u>6</u></b>
<b>Total Impacted Estimated - 130 ee's</b>	<b>20</b>	<b>110</b>