SEC Form 3 FORM 3

## UNITED STATES SECURITIES AND EXCHANGE

COMMISSION

Washington, D.C. 20549

## **INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES**

OMB APPROVAL 3235-

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Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

	Address of Repo bert Deato	0	2. Date of Event Requiring Statement (Month/Day/Year) 04/22/2021       3. Issuer Name and Ticker or Trading Symbol         Latham Group, Inc.       [ SWIM ]								
	Last) (First) (Middle) C/O LATHAM GROUP, INC. 787 WATERVLIET SHAKER ROAD				4. Relationship of Reporting Issuer (Check all applicable) X Director Officer (give		Person(s) to 10% Owner Other (specify		<ul> <li>5. If Amendment, Date of Original Filed (Month/Day/Year)</li> <li>6. Individual or Joint/Group Filing (Check Applicable Line)</li> </ul>		
(Street) LATHAM (City)	NY (State)	12110 (Zip)			title below)		below)		2	Person	by One Reporting by More than One Person
Table I - Non-Derivative Securities Beneficially Owned											
1. Title of Security (Instr. 4)				[	2. Amount of Securities Beneficially Owned (Ins 4)	tr.	3. Ownership Form: Direct (D) or Indirect (I) (Instr. 5)		4. Nature of Indirect Beneficial Ownership (Instr. 5)		
Common Stock, par value \$0.0001 per share <sup>(1)</sup>					293,736 D						
Common Stock, par value \$0.0001 per share <sup>(2)(3)</sup>					337,255		D				
Table II - Derivative Securities Beneficially Owned           (e.g., puts, calls, warrants, options, convertible securities)											
Ex Ex			2. Date Exercisable and Expiration Date Month/Day/Year)		3. Title and Amount of Se Underlying Derivative Sec (Instr. 4)				cise	ise Form:	6. Nature of Indirect Beneficial Ownership (Instr.
			Date Exercisable	Expiration Date	Title	OI N Of	lumber	Derivative Security		Direct (D) or Indirect (I) (Instr. 5)	5)

**Explanation of Responses:** 

1. Represents 293,736 shares of common stock issued to the reporting person pursuant to the merger of Latham Investment Holdings, LP with and into the Issuer.

2. Represents restricted stock issued to the reporting person pursuant to the merger of Latham Investment Holdings, LP with and into the Issuer.

3. The shares of restricted stock vest ratably every six months starting December 2021 through December 2023.

## **Remarks:**

See Exhibit 24.1 - Power of Attorney

/s/ Jason Duva, Attorney-

in-Fact

04/22/2021

\*\* Signature of Reporting Person

Date

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

\* If the form is filed by more than one reporting person, see Instruction 5 (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).

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

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.

## **Power of Attorney**

Know all by these presents, that the undersigned hereby constitutes and appoints each of the following officers of Latham Group, Inc. (the "Company"):

- (i) J. Mark Borseth, and
- (ii) Jason Duva

signing singly, the undersigned's true and lawful attorney-in-fact to:

(1) execute for and on behalf of the undersigned, in the undersigned's capacity as an officer, director or holder of 10% or more of the registered class of securities of the Company, Forms 3, 4 and 5 in accordance with Section 16(a) of the Securities Exchange Act of 1934, as amended, and the rules thereunder;

(2) do and perform any and all acts for and on behalf of the undersigned that may be necessary or desirable to complete and execute any such Form 3, 4 or 5, complete and execute any amendment or amendments thereto, and timely file such forms or amendments with the United States Securities and Exchange Commission and any stock exchange or similar authority; and

(3) take any other action of any type whatsoever in connection with the foregoing which, in the opinion of such attorney-in-fact, may be of benefit, in the best interest of, or legally required by, the undersigned, it being understood that the documents executed by such attorney-in-fact on behalf of the undersigned pursuant to this Power of Attorney shall be in such form and shall contain such terms and conditions as such attorney-in-fact may approve in such attorney-in-fact's discretion.

The undersigned hereby grants to each such attorney-in-fact full power and authority to do and perform any and every act and thing whatsoever requisite, necessary, or proper to be done in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as the undersigned might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that such attorney-in-fact, or such attorney-in-fact's substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted. The undersigned acknowledges that the foregoing attorneys-in-fact, serving in such capacity at the request of the undersigned, are not assuming, nor is the Company assuming, any of the undersigned's responsibilities to comply with Section 16 of the Exchange Act.

This Power of Attorney shall remain in full force and effect until the undersigned is no longer required to file Forms 3, 4 and 5 with respect to the undersigned's holdings of and transactions in securities issued by the Company, unless earlier revoked by the undersigned in a signed writing delivered to the foregoing attorneys-in-fact.

By: /s/ Robert D. Evans Name: Robert D. Evans

[Signature Page to Power of Attorney (Forms 3, 4 & 5)]