



New York State
Department of Economic Development
Division of Minority and Women's
Business Development

In the matter of the appeal of

Capital District Print & Imaging, Inc.

FINAL ORDER 16-39

From a denial of certification as a Women-owned Business Enterprise pursuant to Executive Law Article 15-A.

This order arises from an administrative appeal brought on behalf of Capital District Print & Imaging, Inc., DBA Allegra Print & Imaging (“Allegra Print”) pursuant to 5 NYCRR Section 144.4. Appellant, Ms. Janet Calise, seeks reversal of the decision of the Division of Minority and Women’s Business Development (the “Division”), dated March 04, 2016, to deny Allegra Print certification as a Women-owned Business Enterprise (“WBE”).

This appeal was assigned to Administrative Law Judge Daniel P. O’Connell. Appellant appeared *pro se* at a hearing on this matter on June 21, 2016. The Division was represented by Phillip Harmonick, Esq. A recording of the proceedings is included in the appeal record.

On August 8, 2016, the Division received from Administrative Law Judge O’Connell a Recommended Order that affirmed the Division’s determination to deny the application by Appellant to certify Allegra Print as a WBE.

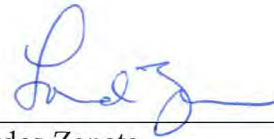
The issues on appeal were whether Appellant made a capital contribution to Allegra Print in proportion to her ownership interest in the business enterprise and whether the corporate bylaws and other relevant business agreements of Allegra Print permitted her to control the business without restriction. Administrative Law Judge O’Connell recommended that the Division’s determination to deny Allegra Print certification as a WBE be upheld on each of the denial grounds identified by the Division.

After considering the appeal record, I accept the recommendation of the Administrative Law Judge as it pertains to the facts of this case. Incorporation by reference is hereby made with

respect to the findings and conclusions of the Recommended Order; namely, that Allegra Print does not meet the requirements for certification as set forth in Article 15-A of the Executive Law and the rules and regulations promulgated thereunder.

It is hereby **ORDERED** that the decision to deny certification, dated March 04, 2016, is affirmed. Accordingly, Allegra Print will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

August 19, 2016



Lourdes Zapata
Executive Director
Division of Minority and Women's
Business Development