



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

---

In the matter of the appeal of

**Blenderbox, Inc.**

FINAL ORDER 16-61

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 Blenderbox, Inc. ("Blenderbox") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant, Ms. Sarah Jeffries, seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated February 12, 2016, to deny Blenderbox certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge P. Nicholas Garlick. Appellant, represented by Mr. Horace Flowers, Esq., appeared at a hearing regarding this matter on October 11, 2016. The Division was represented by Mr. Phillip Harmonick, Esq. A recording of the proceedings is contained in the appeal record.

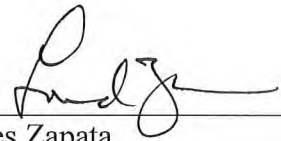
The issues on appeal were whether the Appellant contributed money, property, equipment, or expertise to Blenderbox in proportion to her ownership interest therein, and whether the Appellant demonstrated control of business negotiations through production of signed contracts.

On November 29, 2016, the Division received from Administrative Law Judge Garlick a Recommended Order that affirmed the Division's determination to deny the application by Appellant to certify Blenderbox as a WBE. The Recommended Order recommended that that the denial should be affirmed on each of the grounds identified in the Division's February 12, 2016 denial letter.

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.

It is hereby **ORDERED** that the decision to deny certification, dated February 12, 2016 is affirmed. Accordingly, Blenderbox will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

December 07, 2016



---

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