

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

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In the matter of the appeal of

**Corporate Branding, Inc.**

FINAL ORDER 17-54

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

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This order arises from an administrative appeal brought on behalf of Corporate Branding, Inc. ("Corporate Branding") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated December 09, 2016, to deny Corporate Branding certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Lisa A. Wilkinson. Appellant, represented by Ms. Tara D. McDevitt, Esq., appeared at an appeal hearing concerning this matter on August 01, 2017. Mr. Phillip Harmonick, Esq. represented the Division. A recording of the proceedings is contained in the appeal record.

The issues on appeal were whether the woman owner of Corporate Branding: contributed money, property, equipment, or expertise proportionate to her equity interest in the business enterprise; shared in the risks and profits of the business enterprise in proportion to her ownership interest therein; and was permitted by the corporate bylaws of Corporate Branding to make decisions without restrictions.

On September 27, 2017, the Division received from Administrative Law Judge Wilkinson a Recommended Order that recommended affirmation of the Division's denial of the application to certify Corporate Branding as a WBE on the grounds set forth in the Division's December 09, 2016 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 December 09, 2016, is affirmed. Accordingly, Corporate Branding will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

September 28, 2017



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