



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

**Mohegan Wolf Painting Co., LLC**

FINAL ORDER 18-04

From a denial of certification as a Minority-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 Mohegan Wolf Painting Co., LLC ("Mohegan Wolf") 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 January 04, 2017, to deny Mohegan Wolf certification as a Minority-owned Business Enterprise ("MBE").

This appeal was assigned to Administrative Law Judge P. Nicholas Garlick. Mr. Matthew Fleisher submitted a written appeal on behalf of Appellant on January 17, 2017. Mr. Phillip Harmonick, Esq. submitted a response on behalf of the Division on November 01, 2017. The submissions of the parties are contained in the appeal record.

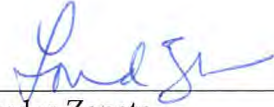
The issue on appeal was whether Mohegan Wolf was an independent business enterprise.

On December 20, 2017, the Division received from Administrative Law Judge Garlick a Recommended Order that recommended affirmation of the Division's denial of the application to certify Mohegan Wolf as an MBE on the grounds set forth in the Division's January 04, 2017 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 January 04, 2017, is affirmed. Accordingly, Mohegan Wolf will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

January 08, 2018



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