



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

**R/E/D Group, LLC**

FINAL ORDER 17-18

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 R/E/D Group, LLC ("R/E/D Group") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant, Ms. Laura Payne-Bourcy, Ph.D., seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated February 24, 2016, to deny R/E/D Group certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Daniel P. O'Connell. Appellant, represented by Mr. Paul Ciminelli, Esq., appeared at an appeal hearing regarding this matter on November 14, 2016. The Division was represented by Mr. Phillip Harmonick, Esq. A recording of the proceedings is contained in the appeal record.

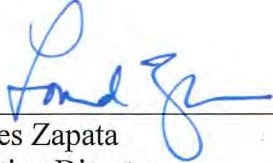
The issues on appeal were whether Appellant: contributed money, property, equipment, or expertise to R/E/D Group in proportion to her ownership interest therein; and was permitted by the operating agreement of R/E/D Group to make decisions without restrictions.

On March 13, 2017, the Division received from Administrative Law Judge O'Connell a Recommended Order that recommended affirmation of the Division's February 24, 2016 denial on each of the denial grounds identified in the 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 24, 2016 is affirmed. Accordingly, R/E/D Group will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

March 23, 2017

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