Finnegan Kevin Form 4 April 21, 2010

FORM 4

OMB APPROVAL

UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

OMB 3235-0287

Check this box if no longer subject to Section 16.

Number: January 31, Expires: 2005

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF **SECURITIES**

Estimated average burden hours per response... 0.5

5. Relationship of Reporting Person(s) to

Persons who respond to the collection of

information contained in this form are not

required to respond unless the form

Form 4 or Form 5 obligations may continue. See Instruction

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

2. Issuer Name and Ticker or Trading

1(b).

(Print or Type Responses)

1. Name and Address of Reporting Person *

Finnegan Kevin			Symbol New York & Company, Inc. [NWY]					Issuer			
							WY]	(Check all applicable)			
(Last)	(First)	(Middle)		Earliest Tra	nsaction						
450 W. 33RD STREET, 5TH FLOOR			(Month/Day/Year) 04/19/2010			Director 10% Owner X Officer (give title Other (specify below) below) EVP, Global Sales & Operations					
(Street)		4. If Amendment, Date Original					6. Individual or Joint/Group Filing(Check				
			Filed(Month/Day/Year)					Applicable Line) _X_ Form filed by One Reporting Person			
NEW YORK, NY 10001						Form filed by More than One Reporting Person			eporting		
(City)	(State)	(Zip)	Table	e I - Non-D	erivative S	ecurit	ies Acq	uired, Disposed o	of, or Beneficial	lly Owned	
1.Title of Security (Instr. 3)	2. Transaction I (Month/Day/Ye	ear) Execution	emed on Date, if /Day/Year)	3. Transactic Code (Instr. 8)	4. Securition(A) or Dis (D) (Instr. 3, 4	sposed	of	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)	
Common Stock (1) (2)	04/19/2010			A	75,000	A	\$0	206,300	D		
Common Stock (3)								4,372	I	KLF 2004 Grantor Retained Annuity Trust	
Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.											

SEC 1474

(9-02)

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Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transactio Code (Instr. 8)	5. Number of or Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)			7. Title and Amount of Underlying Securities (Instr. 3 and 4)	
				Code V	(A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Share
Stock Apprecation Rights	\$ 4.79	04/19/2010		A	50,000	<u>(4)</u>	04/01/2020	Common Stock	50,000
Options to Purchase Common Stock	\$ 2.86					<u>(5)</u>	03/18/2019	Common Stock	30,000
Options to Purchase Common Stock	\$ 4.74					<u>(6)</u>	03/19/2018	Common Stock	20,000
Options to Purchase Common Stock	\$ 3.28					<u>(7)</u>	03/21/2017	Common Stock	8,919

Reporting Owners

Reporting Owner Name / Address	Keiauonsnips					
	Director	10% Owner	Officer	Other		

Director 10% Owner Officer

Finnegan Kevin 450 W. 33RD STREET 5TH FLOOR NEW YORK, NY 10001

EVP, Global Sales & Operations

Signatures

Linda Gormezano, attorney in fact /s/ Linda

Gormezano 04/21/2010

> **Signature of Reporting Person Date

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Explanation of Responses:

- * If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) On April 1, 2010, the reporting person was awarded restricted stock which is scheduled to cliff vest on April 1, 2013.
 - In addition to the 75,000 shares of restricted stock referenced in footnote 1, includes 123,800 shares of common stock and 7,500 shares on the following dates: 2,500 shares on June 24, 2010: 2,500 shares on June 24, 2011: and 2,500 shares on
- (2) of restricted stock that vests on the following dates: 2,500 shares on June 24, 2010; 2,500 shares on June 24, 2011; and 2,500 shares on June 24, 2012.
- (3) Represents common stock indirectly beneficially owned through the Kevin L. Finnegan 2004 Grantor Retained Annuity Trust.
 - On April 1, 2010, the reporting person was awarded stock appreciation rights (SARs) which are scheduled to cliff vest on April 1, 2013.
- (4) Each SAR represents the right to receive a payment measured by the increase in the fair market value of one share of common stock from the date of grant of the SAR to the date of exercise of the SAR. Upon exercise the SARs will be settled in stock.
- (5) The options become exercisable in four annual installments on the following dates: 7,500 shares on March 18, 2010; 7,500 shares on March 18, 2011; 7,500 shares on March 18, 2012; and 7,500 shares on March 18, 2013.
- The options become exercisable in four annual installments on the following dates: 5,000 shares on March 19, 2009; 5,000 shares on March 19, 2010; 5,000 shares on March 19, 2011; and 5,000 shares on March 19, 2012.
- (7) The options become exercisable on the following dates: 6,689 shares on June 29, 2011 and 2,230 shares on March 21, 2012.

Remarks:

Except as outlined above, the filing of this Form shall not be deemed an admission that the reporting person is the beneficial o Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.