New York & Company, Inc. Form 4

# FORM 4

May 03, 2016

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

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

**SECURITIES** 

**OMB APPROVAL OMB** 

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if no longer subject to Section 16. Form 4 or

Check this box

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

1(b).

(Print or Type Responses)

1 Name and Address of Departing Da

SCOTT GREGORY J			Symbol New York & Company, Inc. [NWY]					Issuer (Check all applicable)			
(Last) 330 W. 347 FLOOR	(First) TH STREET, 97	(Middle)	3. Date of (Month/Date 04/29/20	•	ansaction			_X_ Director _X_ Officer (give below)	10%	Owner or (specify	
NEW YOR	(Street) K, NY 10001			ndment, Dan th/Day/Year)	Č			6. Individual or Jo Applicable Line) _X_ Form filed by 0 Form filed by N Person	•	rson	
(City)	(State)	(Zip)	Table	e I - Non-D	erivative Se	curiti	es Acqu	ired, Disposed of	f, or Beneficial	ly Owned	
1.Title of Security (Instr. 3)	2. Transaction D (Month/Day/Yea	ar) Execution any	med on Date, if Day/Year)	3. Transactio Code (Instr. 8)	4. Securities (A) or Disp (Instr. 3, 4 a	osed c	of (D)	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	04/29/2016			A	300,000	A	\$0	568,780 (2)	D		

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

Persons who respond to the collection of SEC 1474 information contained in this form are not (9-02)required to respond unless the form displays a currently valid OMB control number.

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

#### Edgar Filing: New York & Company, Inc. - Form 4

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	4. Transacti Code (Instr. 8)	5. orNumber of Derivative Securities Acquired (A) or Disposed	<b>.</b>	ate	7. Titl Amou Under Securi (Instr.	int of lying	8. Price of Derivative Security (Instr. 5)	9. Nu Deriv Secur Bene Owne Follo Repo Trans
				of (D) (Instr. 3, 4, and 5)						(Instr
				+, and 3)	Date	Expiration		Amount		
			Code V	(A) (D)	Exercisable	Date	Title	Number of Shares		

### **Reporting Owners**

Reporting Owner Name / Address	Relationships						
Topolonia o Hina Huma / Huma oss	Director	10% Owner	Officer	Other			
SCOTT GREGORY J 330 W. 34TH STREET 9TH FLOOR NEW YORK, NY 10001	X		Chief Executive Officer				

## **Signatures**

Linda Gormezano, attorney-in-fact /s/ Linda
Gormezano
05/03/2016

\*\*Signature of Reporting Person Date

### **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).

The reporting person was granted an award of performance-based restricted stock that vests subject to the Company achieving minimum, target, and maximum operating income levels for fiscal year 2016, and continued employment with the Company. All 300,000 performance-basedshares will be cancelled if the Company achieves below the minimum operating income goal for fiscal year 2016. If

- (1) the Company achieves between the minimum and target operating income goals for fiscal year 2016, the reporting person will earn between 54,520 and 272,720 shares of restricted stock. If the Company achieves between the target and maximum operating income goals for fiscal year 2016, the reporting person will earn between 272,720 and 300,000 shares of restricted stock. Any earned shares will vest ratably through March 2019.
- (2) Includes 68,780 shares of common stock; 100,000 shares of restricted stock which vest on August 26, 2016; 100,000 shares of restricted stock which vest on August 25, 2017; and 300,000 shares of performance-based restricted stock.

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.

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