

New York & Company, Inc.  
Form 8-K  
March 16, 2012

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**

WASHINGTON, DC 20549

**FORM 8-K**

**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934**

Date of Report (Date of earliest event reported): **March 13, 2012**

**NEW YORK & COMPANY, INC.**

(Exact name of registrant as specified in its charter)

**DELAWARE**  
(State or other jurisdiction of  
incorporation)

**1-32315**  
(Commission File Number)

**33-1031445**  
(IRS Employer Identification No.)

**450 West 33rd Street  
5th Floor  
New York, New York 10001**  
(Address of principal executive offices, including zip code)

**(212) 884-2000**  
(Registrant's telephone number, including area code)

## Edgar Filing: New York & Company, Inc. - Form 8-K

### **Not Applicable**

(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Item 5.02 Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.**

(d) On March 13, 2012, the Company's board of directors elected James O. Egan, 63, to be a member of the Company's board of directors, bringing the Company's board from 12 members to 13. Mr. Egan was also elected to be a member of the board's audit committee. Mr. Egan will receive compensation in accordance with the Company's standard compensation arrangements for non-employee directors, which are described in the Company's Proxy Statement for fiscal year 2010, as filed on May 11, 2011 with the Securities and Exchange Commission.

A press release announcing the appointment was issued on March 16, 2012, and is attached as Exhibit No. 99.1 to this Current Report on Form 8-K and incorporated herein by reference.

**Item 9.01 Financial Statements and Exhibits.**

(d) Exhibit

<b>Exhibit No.</b>	<b>Description</b>
99.1	Press release issued on March 16, 2012

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**NEW YORK & COMPANY, INC.**

Date: March 16, 2012

Name: /s/ Sheamus Toal  
Sheamus Toal  
Title: Executive Vice President and  
Chief Financial Officer

**EXHIBIT INDEX**

<b>Exhibit No.</b>	<b>Description</b>
99.1	Press release issued on March 16, 2012

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