

Haubegger Christy
Form 4/A
January 16, 2018

FORM 4

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

Check this box
if no longer
subject to
Section 16.
Form 4 or
Form 5
obligations
may continue.
See Instruction
1(b).

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

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

OMB APPROVAL

OMB
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(Print or Type Responses)

1. Name and Address of Reporting Person *
Haubegger Christy

(Last) (First) (Middle)

330 W. 34TH STREET, 9TH
FLOOR

(Street)

NEW YORK, NY 10001

(City) (State) (Zip)

2. Issuer Name **and** Ticker or Trading
Symbol
New York & Company, Inc. [NWKY]

3. Date of Earliest Transaction
(Month/Day/Year)

06/20/2017

4. If Amendment, Date Original
Filed(Month/Day/Year)
06/22/2017

5. Relationship of Reporting Person(s) to
Issuer

(Check all applicable)

☒ Director ☐ 10% Owner
☐ Officer (give title below) ☐ Other (specify
below)

6. Individual or Joint/Group Filing(Check
Applicable Line)

☒ Form filed by One Reporting Person
☐ Form filed by More than One Reporting
Person

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	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)
				(A) or (D)			
			Code	V	Amount	(D)	Price

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

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SEC 1474
(9-02)

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

1. Title of Derivative Security	2. Conversion or Exercise	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any	4. Transaction Code	5. Number of Derivative Securities	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)	8. Price of Underlying Securities

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(Instr. 3)	Price of Derivative Security	(Month/Day/Year)	(Instr. 8)	Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares	(Instr. 3, 4, and 5)
Deferred Stock Units <u>(1)</u>	<u>(3)</u>	06/20/2017	A	11,194			<u>(3)</u>	<u>(3)</u>	Common Stock	11,194	S
Deferred Stock Units <u>(2)</u>	<u>(4)</u>	06/20/2017	A	11,194			<u>(4)</u>	<u>(4)</u>	Common Stock	11,194	S

Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
Haubegger Christy 330 W. 34TH STREET 9TH FLOOR NEW YORK, NY 10001	X			

Signatures

Linda Gormezano, attorney-in-fact /s/ Linda Gormezano 01/16/2018

__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).

(1) This is an amended filing to a Form 4 filed on June 22, 2017, which reported deferred stock units granted to the reporting person as restricted stock. The award is now correctly described and reported in Table II.

(2) This is an amended filing to a Form 4 filed on June 22, 2017, which reported performance-based deferred stock units granted to the reporting person as performance-based restricted stock. The award is now correctly described and reported in Table II.

(3) On June 20, 2017, the reporting person was awarded deferred stock units which vest on June 1, 2018. The reporting person has elected to defer the receipt of shares. Each deferred stock unit is the economic equivalent of one share of New York & Company, Inc. common stock.

(4) On June 20, 2017, the reporting person was awarded performance-based deferred stock units which vest subject to the Company achieving target operating income for the period July 30, 2017 through February 3, 2018 ("Fall 2017") and continuation as a member of the Company's Board of Directors through June 1, 2018. The reporting person has elected to defer the receipt of shares. Each deferred stock unit is the economic equivalent of one share of New York & Company, Inc. common stock. Any earned shares will vest on June 1, 2018. All 11,194 performance-based deferred stock units will be cancelled if the Company does not achieve the target operating income goal for Fall 2017.

(5) Includes 11,194 deferred stock units which vest on June 1, 2018 and 11,194 performance-based deferred stock units as described in footnote (4) above.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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