

From: [Baldwin, Crystal](#)
To: [REDACTED]
Subject: Public Records Request 2024-00575
Date: Tuesday, January 23, 2024 2:53:05 PM
Attachments: [2024-01-18 Berman PRA request.pdf](#)
[2024-01-23 CAP response to Berman w spreadsheet and cost estimate for files.pdf](#)
[2024 01 23 CAP response to Berman – Spreadsheet Redacted BatesNumbered.pdf](#)

Dear Elizabeth Berman,

Please see attached in response to your Public Records Act request.

Sincerely,

Crystal Baldwin
Consumer Assistance Program
Office of the Attorney General
Mailing Address:
109 State Street
Montpelier, VT 05609-1001

Hotline: 800-649-2424

Website: ago.vermont.gov/cap



STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
MONTPELIER, VT
05609-1001

January 23, 2024

Via email to [REDACTED]

Elizabeth Berman
Vermont, United States

Re: Public Records Request

Dear Elizabeth Berman,

I write in response to your Public Records Act request dated January 18, 2024, a copy of which is attached for your convenience, seeking records of “consumer complaints lodged against the following entities: Peter Liska, Peter J Liska, Fox Capital LLC, Big Apple Restaurant Supply, Big Apple Equipment Repair, Restaurant Outfitters USA,” with no specified date range. To satisfy this request, we searched consumer complaints referencing “Liska”, “Peter J”, “Fox Capital”, “Fox Capitol”, “Big Apple”, and “Restaurant Outfitters”.

Attached is a spreadsheet highlighting the files pertaining to your request (Attachment “2024 01 23 CAP response to Berman – Spreadsheet_Redacted_BatesNumbered.pdf”, pages 000001-000003).

Personal information has been redacted pursuant to 1 V.S.A. § 317(c)(7).

To the extent you feel information has been withheld in error, you may appeal to the Deputy Attorney General, Robert McDougall. Such appeal should be in writing:

Robert McDougall
Deputy Attorney General
Office of the Attorney General
109 State Street
Montpelier, VT 05609-1001

Should you prefer to obtain the original complaint submitted by the consumer, of which there are expected to be 16, we estimate that searching for, reviewing, and redacting the documents will come to approximately 195 minutes. Note that there is no charge for the first 30 minutes. At 165

minutes, billed according to the Secretary of State's fee schedule for the rate of other staff time (\$.45 a minute), the cost to obtain these files is an estimated \$74.25.

Should you prefer to obtain the original complaint submitted by the consumer as well as responses submitted by the consumer and business, we estimate that searching for, reviewing, and redacting an estimated 32 documents will come to approximately 355 minutes. Note that there is no charge for the first 30 minutes. At 325 minutes, billed according to the Secretary of State's fee schedule for the rate of other staff time (\$.45 a minute), the cost to obtain these files is an estimated \$146.25.

To receive copies of complaints, we ask that you please submit payment totaling the estimated cost according to the fees outlined above to proceed further with processing your request. Upon receipt of your payment, the records will be made available for you. Note, if the actual time to produce the records is less, we will issue a credit.

You may submit payment as follows:

Online (preferred payment method): <https://appengine.egov.com/apps/vt/ago/onlinepayment>

Checks are also accepted when mailed to:

Attn: Business Office
State of Vermont
Office of the Attorney General
109 State Street
Montpelier, VT 05609-1001

Thank you for contacting the Vermont Attorney General's Office.

Sincerely,

Crystal Baldwin
Consumer Assistance Program
Office of the Attorney General
State of Vermont

Matter #	Matter Name	Opened Date	Matter Summary	Claimed Losses	Process Code	Status Code
2023-11794	Small Oven Pastries (Big Apple Restaurant Supply) CAP	12/1/2023	malfunctioning appliance, failure to address	\$5,086.01	SBI - Small Business Initiative	CUR - Closed, Unable To Resolve/No Resolution
2023-11237	Jsp Restaurant Group Ilc (Big Apple Restaurant Supply) CAP	11/10/2023	I ordered coolers from company gave \$11K deposit and the business has yet to order my coolers	\$10,995.00	SBI - Small Business Initiative	RES - Resolved
2023-02698	Salvation Farms, Inc. (Big Apple Restaurant Supply) CAP	3/13/2023	Complaint. SBI. The consumer has a complaint against the business for failure to delivery and refusal to return deposits paid. Consumer made a down payment to purchase a walk in fridge and it was never installed. Total loss: \$13,610 Contact: Theresa Snow	\$13,610.00	SBI - Small Business Initiative	RES - Resolved
2020-08893	Danaher, Jamie (Big Apple Restaurant Supply) CAP	10/1/2020	Consumer would like to return the defective equipment bought from the business and to receive credit on account with business. Peter has been working with me to source new and preowned equipment for my new restaurant business. We made a purchase of \$8000 with the agreement that I was able to return whatever I didn't need and that he would try to help me get set up with equipment and send me a final bill based on what I decided to keep. Some of the equipment is fine, but the fryers that he delivered did not work. They were installed by [REDACTED] a gas technician for KC Mechanical. I called Peter and let him know that I didn't want to keep them and that I had ordered new ones because I was in a time crunch. I also had to purchase a new sink with drainboards because the sink he brought me didn't have them and [REDACTED] the health department said I needed to have one over the plumbing. A week later, I am still waiting to hear from Peter. His wife however, came in to my other business and was very upset at me for the situation, saying I'm insulting Peter. She started saying I'm evil and threatened to sue me and that I threatened to break our contract. She pointed her finger in my face and kept yelling at me saying it's my fault that her husband has to have his [REDACTED]. She also said she was going to charge me for the delivery as she had to drop off the freezer at [REDACTED] moving and storage, which is certainly not my responsibility. Overall, I had planned to keep dealing with Peter, but after his threats from his wife and talking to my lawyer, I was asked to make a formal complaint.		SBI - Small Business Initiative	RES - Resolved
CAP11-12-1122	Barry Mattoon (Restaurant Outfitters U.S.A.)	12/20/2011	Consumer wants the owner of this BIZ prosecuted and wants him to pay his court fees.	\$2,300.00	REG - Complaint sent to business for a response	CUR - Closed, Unable To Resolve/No Resolution

Matter #	Matter Name	Opened Date	Matter Summary	Claimed Losses	Process Code	Status Code
CAP11-12-1001	William J Duryea (Restaurant Outfitters U.S.A.)	12/1/2011	Consumer was never delivered equipment that they ordered, even though they gave a down payment for them. The court judge ordered for them to pay this amount, but they still haven't.	\$4,226.25	REG - Complaint sent to business for a response	CUR - Closed, Unable To Resolve/No Resolution
CAP11-11-1084	Diane St. Clair (Restaurant Outfitters U.S.A.)	11/10/2011	Consumer called and put down a deposit of \$900 for a refridgerator that they said they would deliver in 2 weeks. She has now been calling them for 2 months about the delivery that they promised and now they aren't answering their phone or returning calls. Consumer wants her deposit returned.	\$900.00	REG - Complaint sent to business for a response	NPR-No Person Response
CAP11-10-1192	Brian Martell (Restaurant Outfitters U.S.A.)	10/24/2011	Consumer bought a freezer from this business and it ran all the time adding to their electricity bill by a significant amount of money. They had busiiness come and look at it and they determined there was nothing wrong so they had another repair complany come and they said it would die soon. It died a couple days later and they had business ordeer them a new one. This replacement was pushed back multiple times under warranty. When they said they couldn't find one, it was no longer under warranty and they didn't honor that it had been when they first started looking. Consumer wants compensation for financial loss or supply replacement and cover the costs.	\$2,610.00	REG - Complaint sent to business for a response	NPR-No Person Response
CAP11-09-1253	Starlisa Cereske- Rabideau (Restaurant Outfitters U.S.A.)	9/30/2011	Consumer reports placed 50% deposit down on equipment ordered, with remainder due on delivery. Reports equipment not delivered as agreed, or in time for business opening, as was stipulated in the order.	\$3,981.89	REG - Complaint sent to business for a response	NPR-No Person Response
CAP11-09-1124	Daniel Sargeant (Restaurant Outfitters U.S.A.)	9/14/2011	Consumer ordered equipment from business, never received most of it. Consumer would like money back for equipment and services that have not been rendered.	\$7,079.50	REG - Complaint sent to business for a response	CUR - Closed, Unable To Resolve/No Resolution
CAP11-02-1262	William C Bullock, Jr. (Restaurant Outfitters U.S.A.)	2/28/2011	Consumer states ordered and paid with check for deli equipment, tables, booths, and charis and has rec'd nothing.	\$4,800.00	REG - Complaint sent to business for a response	CUR - Closed, Unable To Resolve/No Resolution
CAP11-02-1235	Brian Hartigan (Restaurant Outfitters U.S.A.)	2/25/2011	Consumer reports ordered a prep table, business could not get it and will not refund his money.	\$1,310.00	REG - Complaint sent to business for a response	CUR - Closed, Unable To Resolve/No Resolution
CAP11-01-1205	Gretal-Ann Fischer (Restaurant Outfitters U.S.A.)	1/20/2011	Gave cash up front to Restaurant Outfitters to deliver equipment. Outfitters has not delivered on time and consumer has had to rent supplies in the interim for the last 2 months. Company offered to let consumer cancel order and get cash back but now have negated this option.	\$3,800.00	REG - Complaint sent to business for a response	RES - Resolved
CAP11-01-1065	Cheryl McCabe (Restaurant Outfitters U.S.A.)	1/6/2011	Consumer purchased a six burner countertop and never received it at time of promised delivery nor a month later.	\$825.13	REG - Complaint sent to business for a response	CUR - Closed, Unable To Resolve/No Resolution

Matter #	Matter Name	Opened Date	Matter Summary	Claimed Losses	Process Code	Status Code
CAP10-03-1287	LOUIS GALLO (Restaurant Outfitters U.S.A.)	3/25/2010	10/25/10. Consumer entered into a signed agreement with Restaurant Outfitters where the consumer would receive a commission from the equipment sold by the company. They sold a piece of equipment 4 weeks ago. The consumer has failed to receive this check for \$5,500.00, although the company has repeated to tell the consumer it was in the mail. REQUESTED RELIEF: \$5,500.00.	\$5,500.00	REG - Complaint sent to business for a response	RES - Resolved
CAP09-12-1189	CLAREMONT Soup Kitchen, Inc (Restaurant Outfitters U.S.A.)	12/16/2009	Soup Kitchen paid Mr. Liske of Restaurant Outfitters USA 6,000 or half of the cost of the appliance and installment. The rest would be paid after he installed it. He could not fill the order to their satisfaction and promised to refund them. He sent them a 2,000 check and promised the rest of the balance to come. There were insufficient funds so they could not collect their refund. They want their 6,000 as they are a non-profit and cannot afford to lose this money. Never sent other checks so not resolved. Still owes \$2000.00 4/6/11 - case reopened.	\$6,000.00	REG - Complaint sent to business for a response	RCO - Resolved Court Order