

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF:                   :  
  :  
Pedas Family Partnership,       :  
t/a Guapo's Restaurant           :  
4515-4517 Wisconsin            :  
Ave NW                            :  
Retailer CR - AND 3E            :  
License #116332                   :  
Case # 23-CIT-00479             :  
  :  
(Failed to File Quarterly:  
Statement)                        :  
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Wednesday  
April 3, 2024

The Alcoholic Beverage and Cannabis Board met via WebEx videoconference, Chairperson Donovan W. Anderson presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson  
SILAS GRANT, JR., Member  
JAMES SHORT, JR., Member

ALSO PRESENT:

JOSE ORELLANA, DC ABCA Staff  
ANTHONY P. CELO, DC OAG

1 P-R-O-C-E-E-D-I-N-G-S

2 10:49 a.m.

3 CHAIRPERSON ANDERSON: The next case on  
4 our calendar is Case Number 23-CIT-00479, Guapo's  
5 Restaurant, License Number 116332.

6 Mr. Orellana, do we have the licensee  
7 for Guapo's Restaurant on the line?

8 MR. ORELLANA: Yes, Barry Markowitz,  
9 your access has been elevated.

10 That is all, Chair.

11 CHAIRPERSON ANDERSON: Thank you.

12 Mr. Markowitz, do you have a camera  
13 you can turn on, sir?

14 (No audible response.)

15 CHAIRPERSON ANDERSON: All right, good  
16 morning. I don't know if you're speaking, sir,  
17 but I can't hear you.

18 All right, Mr. Celso, can you identify  
19 yourself for the record?

20 MR. CELO: Assistant Attorney General  
21 Anthony Celso, A-N-T-H-O-N-Y C-E-L-S-O.

22 CHAIRPERSON ANDERSON: Mr. Markowitz,  
23 can you please spell and state your name for the  
24 record?

25 (No audible response.)

1 CHAIRPERSON ANDERSON: I cannot hear  
2 you, sir.

3 (Pause.)

4 CHAIRPERSON ANDERSON: I am not hearing  
5 you.

6 MR. ORELLANA: I'm trying to help him  
7 through the chat.

8 CHAIRPERSON ANDERSON: All right, thank  
9 you.

10 (Pause.)

11 CHAIRPERSON ANDERSON: Yes, sir, I can  
12 hear you. Can you spell and state your name for  
13 the record, and your relationship to the  
14 establishment?

15 (No audible response.)

16 CHAIRPERSON ANDERSON: You need to  
17 unmute yourself again, sir. You've just muted  
18 yourself.

19 FEMALE PARTICIPANT: Hello?

20 MR. MARKOWITZ: Hello?

21 CHAIRPERSON ANDERSON: Yes, sir, go  
22 ahead, I can hear you.

23 MR. MARKOWITZ: Okay, great. Sorry  
24 about that.

25 I'm Barry Markowitz, spelled B-A-R-R-Y

1 M-A-R-K-O-W-I-T-Z.

2 CHAIRPERSON ANDERSON: And, what's your  
3 relationship to the establishment, sir?

4 MR. MARKOWITZ: I'm their CPA; do all  
5 their accounting work and their filing of these  
6 forms.

7 CHAIRPERSON ANDERSON: All right, thank  
8 you, sir. But let me ask a question.

9 Mr. Celo, are there any preliminary  
10 matters in this case?

11 MR. CELO: I would note only that an  
12 Offer in Compromise was sent over, and would  
13 request just to see if it was received.

14 And if not, I would request for any  
15 appropriate contact information so we can reach  
16 out again.

17 FEMALE PARTICIPANT: I don't think I've  
18 seen it.

19 MR. MARKOWITZ: Yes, we did not receive  
20 it, sir, so I don't know what it was because I  
21 didn't receive it.

22 And then as far as I know, the  
23 accounting office for Guapo's has, did not  
24 receive it, and I don't believe the restaurant  
25 received it.

1 CHAIRPERSON ANDERSON: All right,  
2 you're the CPA so the information would be sent  
3 to whoever the person is on the license. Or  
4 whoever the designated representative is.

5 So, unless you have provided us with  
6 a notice that you are representing this  
7 establishment, the notice would not be sent to  
8 you, sir.

9 It will be sent to individuals on the  
10 license.

11 FEMALE PARTICIPANT: Do we know who it  
12 was sent to?

13 MR. MARKOWITZ: Do you know the  
14 address? Was it the address of the restaurant?

15 MR. CELO: It was sent to a Mr. Rincon  
16 at roicoa@guaposrestaurant.com. If there is a  
17 different address, please provide it and we will  
18 forward that email.

19 FEMALE PARTICIPANT:  
20 Roicoa@guaposrestaurant.com. We can reach out  
21 and try to get something.

22 MR. MARKOWITZ: So, and the address of  
23 where the restaurant is on Wisconsin Avenue,  
24 that's where it was sent?

25 MR. CELO: It was sent by email.

1 MR. MARKOWITZ: Oh, by email.

2 CHAIRPERSON ANDERSON: And, who is Mr.  
3 Rincon? Does anyone know who Mr. Rincon is?

4 MR. MARKOWITZ: Yes, Mr. Rincon is the  
5 owner. Hector Rincon.

6 CHAIRPERSON ANDERSON: And, okay, so  
7 that is who the, that's who the person, that's  
8 who we would send notices to, sir.

9 And, if this matter goes to a show  
10 cause hearing in the sense that if the  
11 establishment is challenging this matter, then  
12 either the owner would have to show up, or  
13 someone on the license to defend them.

14 Or, the owner would have to send us  
15 something in writing to let us know that you  
16 would be representing the establishment at the  
17 hearing, if this matter goes to a hearing.

18 Do you understand?

19 MR. MARKOWITZ: Yes, sir.

20 The power of attorney was sent in to  
21 Ms. Walker this week, last week.

22 CHAIRPERSON ANDERSON: All right,  
23 that's fine. If that was sent in to the agency,  
24 that's not been made known to me.

25 But I just want to put that --

1 (Simultaneous speaking.)

2 MR. MARKOWITZ: Okay.

3 CHAIRPERSON ANDERSON: -- on the  
4 record.

5 So, if the power of attorney was sent  
6 in to say that you are representing the  
7 establishment, then that's fine.

8 MR. MARKOWITZ: Okay.

9 CHAIRPERSON ANDERSON: All right.

10 MR. MARKOWITZ: Can I say something  
11 about, involving this? It was my mistake.

12 CHAIRPERSON ANDERSON: This is not the  
13 time.

14 MR. MARKOWITZ: Okay.

15 CHAIRPERSON ANDERSON: I know what  
16 you're saying. Maybe you can -- Mr. Celo, whose  
17 case is this?

18 MR. CELO: This is Attorney Alycia  
19 Hogenmiller's case.

20 CHAIRPERSON ANDERSON: All right, you  
21 can have that conversation with Ms. Hogenmiller.  
22 Of if this case goes to a hearing, then, and if  
23 the establishment has a defense, then you can  
24 make those arguments at a hearing, sir.

25 But at this juncture, it is just

1 preliminary. I would only deal with if there are  
2 any preliminary issues, not substantive issues,  
3 sir.

4 MR. MARKOWITZ: Okay, so and Mr. --  
5 what was the email address?

6 CHAIRPERSON ANDERSON: Mr. Celso, what  
7 was the address again that this matter was sent  
8 to? Or maybe you can put it in the chat.

9 MR. CELO: It was sent to r-o-c-i-o-  
10 a@guaposrestaurant.com.

11 MR. MARKOWITZ: Okay.

12 CHAIRPERSON ANDERSON: Is that, do you  
13 know if that's a correct email address?

14 FEMALE PARTICIPANT: Yes, we'll reach  
15 out to get that information.

16 MR. MARKOWITZ: Okay, so you can't send  
17 it to my email address then?

18 CHAIRPERSON ANDERSON: What I was told,  
19 Mr. Celso, it's my understanding, well, it's my  
20 understanding that Mr. Markowitz, that you had  
21 stated that you sent a power of attorney to our  
22 office today.

23 MR. MARKOWITZ: That was --

24 (Simultaneous speaking.)

25 CHAIRPERSON ANDERSON: Why don't you



1 send that, well why don't you put your email  
2 address in the chat and I'll have the government  
3 also send you a copy of it.

4 So, put your email address, sir, in  
5 the chat and we'll also have the government, the  
6 contact information follow up was sent, and the  
7 contact information for the attorney of record,  
8 that you can contact them and you can have that  
9 conversation with that person.

10 MR. MARKOWITZ: So that would have the  
11 name of the person you mentioned before?

12 CHAIRPERSON ANDERSON: Yes, it will  
13 have --

14 (Simultaneous speaking.)

15 MR. MARKOWITZ: And the contact  
16 information so I can --

17 CHAIRPERSON ANDERSON: Yes.

18 MR. MARKOWITZ: -- contact them?  
19 Okay.

20 CHAIRPERSON ANDERSON: Yes, so just  
21 place your email in the, place your email, sir,  
22 in the chat and Mr. Celo will take, will make  
23 sure that the attorney of record has your contact  
24 information.

25 MR. MARKOWITZ: Okay.

1 CHAIRPERSON ANDERSON: And, you can  
2 have conversations with that person about your  
3 position regarding this case, okay?

4 MR. MARKOWITZ: Yes, sir, thank you.

5 CHAIRPERSON ANDERSON: You're welcome.

6 All right, if this matter goes to a  
7 hearing, it is scheduled for May 22, at 10:30  
8 a.m.

9 And again, if this matter goes to a  
10 hearing, seven days before the hearing, both  
11 parties are required to submit documents and  
12 witnesses that they will rely on at the hearing.

13 Failure by either side to exchange  
14 documents and witnesses seven days prior, unless  
15 reasonable and good cause is shown, the Board is  
16 empowered not to allow that party to move  
17 forward.

18 And also, Mr. Markowitz, if you are  
19 able to settle this matter through a paper Offer  
20 in Compromise with the government, then we don't  
21 need to be at the hearing on the 22nd.

22 But that's between you and the  
23 negotiation that you can have with the  
24 government, to see if this matter can be settled  
25 short of hearing, okay?

1 MR. MARKOWITZ: Yes, sir.

2 CHAIRPERSON ANDERSON: All right.

3 MR. CELO: Mr. Chair?

4 CHAIRPERSON ANDERSON: Yes, sir?

5 MR. CELO: Just before this case is  
6 dismissed for the day, I would ask that the email  
7 be verbally stated because I do not see it in the  
8 chat.

9 CHAIRPERSON ANDERSON: All right, Mr.  
10 Markowitz?

11 MR. MARKOWITZ: For some reason, my  
12 keyboard doesn't work when I have this plugged  
13 in.

14 CHAIRPERSON ANDERSON: All right, so  
15 why don't you tell Mr., provide your email  
16 address to Mr. Celo?

17 MR. MARKOWITZ: Okay, so it's B as in  
18 boy, M-A-R-K-O-5-8-3@aol.com.

19 MR. CELO: Bmarko583@aol.com?

20 MR. MARKOWITZ: Yes, sir.

21 MR. CELO: Thank you very much, sir.

22 MR. MARKOWITZ: Okay.

23 CHAIRPERSON ANDERSON: All right, thank  
24 you. Good luck with your negotiations if there  
25 is any. Have a great day.

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Thank you very much.

MR. MARKOWITZ: Okay, thank you, sir.

(Whereupon, the above-entitled matter  
went off the record at 10:59 a.m.)

<p style="text-align: center;"><b>A</b></p> <p><b>A-N-T-H-O-N-Y</b> 2:21  <b>a.m</b> 2:2 10:8 12:4  <b>a@guaposrestaurant...</b>  8:10  <b>ABCA</b> 1:20  <b>able</b> 10:19  <b>above-entitled</b> 12:3  <b>access</b> 2:9  <b>accounting</b> 4:5,23  <b>address</b> 5:14,14,17,22  8:5,7,13,17 9:2,4  11:16  <b>agency</b> 6:23  <b>ahead</b> 3:22  <b>Alcoholic</b> 1:2,14  <b>allow</b> 10:16  <b>Alycia</b> 7:18  <b>Anderson</b> 1:15,17 2:3  2:11,15,22 3:1,4,8,11  3:16,21 4:2,7 5:1 6:2  6:6,22 7:3,9,12,15,20  8:6,12,18,25 9:12,17  9:20 10:1,5 11:2,4,9  11:14,23  <b>Anthony</b> 1:21 2:21  <b>appropriate</b> 4:15  <b>April</b> 1:12  <b>arguments</b> 7:24  <b>Assistant</b> 2:20  <b>attorney</b> 2:20 6:20 7:5  7:18 8:21 9:7,23  <b>audible</b> 2:14,25 3:15  <b>Ave</b> 1:7  <b>Avenue</b> 5:23</p>	<p>11:3,5,16,19,21  <b>Chair</b> 2:10 11:3  <b>Chairperson</b> 1:14,17  2:3,11,15,22 3:1,4,8  3:11,16,21 4:2,7 5:1  6:2,6,22 7:3,9,12,15  7:20 8:6,12,18,25  9:12,17,20 10:1,5  11:2,4,9,14,23  <b>challenging</b> 6:11  <b>chat</b> 3:7 8:8 9:2,5,22  11:8  <b>COLUMBIA</b> 1:1  <b>Compromise</b> 4:12  10:20  <b>contact</b> 4:15 9:6,7,8,15  9:18,23  <b>conversation</b> 7:21 9:9  <b>conversations</b> 10:2  <b>copy</b> 9:3  <b>correct</b> 8:13  <b>CPA</b> 4:4 5:2  <b>CR</b> 1:8</p>	<p><b>fine</b> 6:23 7:7  <b>follow</b> 9:6  <b>forms</b> 4:6  <b>forward</b> 5:18 10:17</p> <p style="text-align: center;"><b>G</b></p> <p><b>General</b> 2:20  <b>go</b> 3:21  <b>goes</b> 6:9,17 7:22 10:6,9  <b>good</b> 2:15 10:15 11:24  <b>government</b> 9:2,5  10:20,24  <b>GRANT</b> 1:18  <b>great</b> 3:23 11:25  <b>Guapo's</b> 1:6 2:4,7 4:23</p>	<p><b>Markowitz</b> 2:8,12,22  3:20,23,25 4:4,19  5:13,22 6:1,4,19 7:2,8  7:10,14 8:4,11,16,20  8:23 9:10,15,18,25  10:4,18 11:1,10,11,17  11:20,22 12:2  <b>matter</b> 1:5 6:9,11,17 8:7  10:6,9,19,24 12:3  <b>matters</b> 4:10  <b>MEETING</b> 1:3  <b>Member</b> 1:18,18  <b>mentioned</b> 9:11  <b>met</b> 1:14  <b>mistake</b> 7:11  <b>morning</b> 2:16  <b>move</b> 10:16  <b>muted</b> 3:17</p>
<p style="text-align: center;"><b>B</b></p> <p><b>B</b> 11:17  <b>B-A-R-R-Y</b> 3:25  <b>Barry</b> 2:8 3:25  <b>believe</b> 4:24  <b>Beverage</b> 1:2,14  <b>Bmarko583@aol.com</b>  11:19  <b>Board</b> 1:2,14 10:15  <b>boy</b> 11:18</p>	<p style="text-align: center;"><b>D</b></p> <p><b>day</b> 11:6,25  <b>days</b> 10:10,14  <b>DC</b> 1:20,21  <b>deal</b> 8:1  <b>defend</b> 6:13  <b>defense</b> 7:23  <b>designated</b> 5:4  <b>different</b> 5:17  <b>dismissed</b> 11:6  <b>DISTRICT</b> 1:1  <b>documents</b> 10:11,14  <b>Donovan</b> 1:15,17</p>	<p style="text-align: center;"><b>H</b></p> <p><b>hear</b> 2:17 3:1,12,22  <b>hearing</b> 1:8 3:4 6:10,17  6:17 7:22,24 10:7,10  10:10,12,21,25  <b>Hector</b> 6:5  <b>Hello</b> 3:19,20  <b>help</b> 3:6  <b>Hogenmiller</b> 7:21  <b>Hogenmiller's</b> 7:19</p>	<p style="text-align: center;"><b>N</b></p> <p><b>name</b> 2:23 3:12 9:11  <b>need</b> 3:16 10:21  <b>negotiation</b> 10:23  <b>negotiations</b> 11:24  <b>note</b> 4:11  <b>notice</b> 5:6,7  <b>notices</b> 6:8  <b>Number</b> 2:4,5  <b>NW</b> 1:7</p>
<p style="text-align: center;"><b>C</b></p> <p><b>C-E-L-O</b> 2:21  <b>calendar</b> 2:4  <b>camera</b> 2:12  <b>Cannabis</b> 1:2,14  <b>case</b> 1:9 2:3,4 4:10 7:17  7:19,22 10:3 11:5  <b>cause</b> 1:7 6:10 10:15  <b>Celo</b> 1:21 2:18,20,21  4:9,11 5:15,25 7:16  7:18 8:6,9,19 9:22</p>	<p style="text-align: center;"><b>E</b></p> <p><b>either</b> 6:12 10:13  <b>elevated</b> 2:9  <b>email</b> 5:18,25 6:1 8:5,13  8:17 9:1,4,21,21 11:6  11:15  <b>empowered</b> 10:16  <b>establishment</b> 3:14 4:3  5:7 6:11,16 7:7,23  <b>exchange</b> 10:13</p>	<p style="text-align: center;"><b>I</b></p> <p><b>identify</b> 2:18  <b>individuals</b> 5:9  <b>information</b> 4:15 5:2  8:15 9:6,7,16,24  <b>involving</b> 7:11  <b>issues</b> 8:2,2</p>	<p style="text-align: center;"><b>O</b></p> <p><b>OAG</b> 1:21  <b>Offer</b> 4:12 10:19  <b>office</b> 4:23 8:22  <b>Oh</b> 6:1  <b>okay</b> 3:23 6:6 7:2,8,14  8:4,11,16 9:19,25  10:3,25 11:17,22 12:2  <b>Orellana</b> 1:20 2:6,8 3:6  <b>owner</b> 6:5,12,14</p>
<p style="text-align: center;"><b>F</b></p> <p><b>Failed</b> 1:10  <b>Failure</b> 10:13  <b>Family</b> 1:6  <b>far</b> 4:22  <b>FEMALE</b> 3:19 4:17 5:11  5:19 8:14  <b>File</b> 1:10  <b>filing</b> 4:5</p>	<p style="text-align: center;"><b>F</b></p> <p><b>Failed</b> 1:10  <b>Failure</b> 10:13  <b>Family</b> 1:6  <b>far</b> 4:22  <b>FEMALE</b> 3:19 4:17 5:11  5:19 8:14  <b>File</b> 1:10  <b>filing</b> 4:5</p>	<p style="text-align: center;"><b>J</b></p> <p><b>JAMES</b> 1:18  <b>JOSE</b> 1:20  <b>JR</b> 1:18,18  <b>junction</b> 7:25</p>	<p style="text-align: center;"><b>P</b></p> <p><b>P</b> 1:21  <b>P-R-O-C-E-E-D-I-N-G-S</b>  2:1  <b>paper</b> 10:19  <b>PARTICIPANT</b> 3:19  4:17 5:11,19 8:14  <b>parties</b> 10:11  <b>Partnership</b> 1:6  <b>party</b> 10:16  <b>Pause</b> 3:3,10  <b>Pedas</b> 1:6  <b>person</b> 5:3 6:7 9:9,11  10:2  <b>place</b> 9:21,21  <b>please</b> 2:23 5:17  <b>plugged</b> 11:12</p>
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Guapo's Restaurant

Before: DC ABCA

Date: 04-03-24

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate complete record of the proceedings.

  
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