



IMMEDIATE RELEASE

November 1, 2022

**JUDGE DENIES DISMISSAL OF WRONGFUL DEATH LAWSUIT
FILED BY LITTLE ROCK AIRMAN'S FAMILY**

Judge Morgan “Chip” Welch issued an Order October 31, 2022 referring to former Little Rock Air Force Base - **Shawn McKeough, Jr.**, who was shot and killed during an armed robbery of the North Little Rock Big Red convenience store on March 15th, 2019 as ‘the deceased hero (for he was every bit a hero),’ in granting a partial summary judgment for Defendant **Douglas A. Hendrix**.

Hendrix, part owner of the Big Red convenience store chain, held the alcoholic beverage permit in his name according to the records of the Arkansas Alcoholic Beverage Control Commission. Judge Welch granted a narrow exception to Hendrix regarding the “high duty of care” he owed to his customers, but kept Hendrix in the lawsuit as a defendant. Arkansas law requests all alcoholic beverage permits be held in the name of an individual, rather than the name of a business.

Attorneys for the McKeough family, Hal Cook and Whitney Cossio argued that the Arkansas statute imposes a “high duty of care” by the individual holding a privilege license to sell alcohol in the state, and as a permit holder Hendrix owed a higher duty to his customers than that of “ordinary care” under Arkansas law.

“Judge Welch distinguished the *negligence per se* allegation made in our lawsuit as not involving the sale of alcohol, because Shawn never made the purchase prior to being shot” stated Hal Cook. “Judge Welch’s ruling is correct, and we respect the Court’s finding of facts and ruling on this issue of law. Mr. Hendrix is by no means dismissed from this lawsuit, and we intend to revisit this very narrow legal issue with Judge Welch during our October trial.” Cook said.

Cook continued “Judge Welch has taken considerable time and made an extraordinary effort researching the law in our case, and reviewing the facts of Shawn’s sacrifice to save lives on March 15th, 2019. We agree Shawn was “every bit a hero” that night, and many more people would have died, if not for his heroic efforts.”

McKeough was tragically shot and killed during an armed robbery of the North Little Rock Big Red convenience store when he intervened to prevent Drequan Robinson and Darius Stewart from shooting and killing two of his friends and other customers of the convenience store.

Attorneys for **Summerwood Partners, LLC d/b/a Big Red; and Douglas A. Hendrix**, have filed several motions to dismiss the McKeough family's lawsuit of June 10, 2021, claiming the convenience store could do nothing to prevent the robbery.

Attorneys for the McKeough family have successfully argued in Pulaski County Circuit Court that the Big Red convenience store owners are very "sophisticated business men operating over forty-five (45) locations in Arkansas... this is not a little 'mom and pop' operation here," said Cook. "According to the National Association of Convenience Stores, the largest industry group representing convenience store owners in the United States, the average convenience store has \$4 million in annual sales, with a profit margin of 20-22%. We believe the Big Red owners should properly instruct, supervise, train, and direct their employees in robbery prevention and intervention" added Cook.

Attorneys for the McKeough family have repeatedly cited statistics from the FBI – Uniform Crime Reports that 137,536 armed robberies occurred in the United States in 2020. Of that number, 13,721, or 10% of all robberies occurred at convenience stores, making them the 4th most dangerous location for violent crime in the country in 2020.

Drequan Robinson, Darius Stewart, Keith Keshawn Harris, and Keith Lamont Harris are currently serving sentences ranging up to 60 years in the Arkansas Department of Corrections for their involvement in the robbery and the murder of Shawn McKeough.