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EDITOR'S PICK

Shooting victim sues owner of Wilkes-Barre club

BY JAMES HALPIN STAFF WRITER

May 12, 2021



Cade

The man severely injured in a triple shooting outside a Wilkes-Barre club earlier this year filed suit Wednesday alleging the nightclub was being operated in violation of state law at the time of the shooting and that its owner was negligent for failing to protect patrons.

The lawsuit, filed by the Philadelphia law firm VSCP Law, says plaintiff Al Quan Cade Jr., of Wilkes-Barre, lost his left eye and sustained skull fractures, scarring and disfigurement in the Jan. 30 shooting that also claimed the lives of Damian Thomas, 32, and Maurice Chapman, 31.

"Our client, 21-year-old Al Quan Cade, Jr., was an innocent bystander and had his life forever changed that night, including loss of his eye, due to the bar/nightclub's grossly deficient security measures," attorneys Joshua Van Naarden and John Pinto said in a statement, adding that they are working to file litigation on behalf of the Thomas and Chapman estates as well. "On behalf of Al Quan and the families of Damian and Maurice, we look forward to getting justice against this bar and its ownership that clearly put their own financial interests ahead of the safety and well-being of those invited to their establishment."

The lawsuit targets Bo's on Main at 215 S. Main St., club owner Coleen M. Burns and her business CM Burns 3, LLC, as well as the alleged gunman, 21-year-old Jayshawn "Times Too" Malik Johnson, who is awaiting trial on criminal homicide charges.

Prosecutors said surveillance footage showed a man police identified as Johnson approaching a group of patrons outside of the bar and then opening fire on Thomas, shooting him along with the other victims.

Thomas and Chapman were repeatedly shot and died at Wilkes-Barre General Hospital of multiple gunshot wounds. Cade was hospitalized in intensive care after the shooting.

The complaint accuses the bar of "permitting known violent offenders" to patronize the business and failing to protect their customers, including by "negligently, carelessly and recklessly permitt(ing) defendant Johnson to enter the establishment with a firearm."

The complaint alleges the bar was not licensed to operate an after-hours club and was operating "in violation of temporary occupancy restrictions and curfew regulations in place at the time of the shootings."

At the time of the shooting, Pennsylvania bars were under strict COVID-19 protocols prohibiting the on-premises consumption of alcohol, according to the complaint.

“Due to the defendants’ negligent and reckless acts that permitted an individual with a loaded firearm on the premises of the bar/nightclub, Bo’s On Main, Al Quan Cade Jr. was shot on the premises as an innocent bystander ultimately causing the loss of his eye, among other severe and debilitating injuries,” the complaint alleges. “On the date and time this tragic incident occurred, Bo’s On Main should have *never* been open and operating as a bar/nightclub and was in violation of state, city and country restrictions/prohibitions for service and consumption of alcohol and gatherings.”

The complaint seeks unspecified damages to be determined at trial.

Attempts to reach Burns for comment were not immediately successful Wednesday.

Burns, whose family also owns Hottle’s Restaurant on South Main Street in Wilkes-Barre, has owned establishments that have come under scrutiny in the past.

The state Liquor Control Board’s Bureau of Licensing previously objected to the license renewal of a bar Burns co-owned and managed, Bentley’s in Ashley, because of Burns’ “reputation” and because it was plagued with “fights, disorderly operations, shootings/shots fired and loud music” at that location, according to the conditional licensing agreement the LCB filed before that business closed.

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