

# Motley Crue Responds to Mick Mars' Lawsuit, Contending He Quit After 'Struggling to Remember Chords, Playing the Wrong Songs'

 [variety.com/2023/music/news/motley-crue-responds-mick-mars-lawsuit-quit-resigned-performance-1235576291](https://variety.com/2023/music/news/motley-crue-responds-mick-mars-lawsuit-quit-resigned-performance-1235576291)

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'Retiring from touring is resigning from the band. The band's primary function is to tour and perform concerts,' says Motley Crue's attorney, who provided declarations from crew personnel about his performances



*Getty Images for Live Nation*

Motley Crue has responded to Mick Mars' lawsuit alleging that the band is trying to force him out after 41 years, with the group's attorneys contending that Mars already is out — having resigned, effectively, in their view, when he announced he was halting touring for good.

Motley Crue's attorneys also provided *Variety* with signed declarations from seven members of the touring crew that was out with the band when they toured with Mars for the last time on 36 stadium dates in 2022, alleging that his performances at the shows were under par and created problems for the entire group.

"After the last tour, Mick publicly resigned from Mötley Crüe," said Sasha **Frid**, the band's litigation attorney. "Despite the fact that the band did not owe Mick anything — and with Mick owing the band millions in advances that he did not pay back — the band offered Mick a generous compensation package to honor his career with the band. Manipulated by his manager and lawyer, Mick refused and chose to file this ugly public lawsuit."

*Variety* further asked about the discrepancy between the firm's statement Thursday afternoon that Mars "publicly resigned," and his own press release of last October that said "'Mick will continue as a member of the band, but can no longer handle the rigors of the

road.” The Crue camp responded that dropping out as a touring member was legally tantamount to quitting the group altogether.

“That’s correct. Retiring from touring is resigning from the band,” said Frid. “The band’s primary function is to tour and perform concerts. And as you saw from the amendment, if a shareholder resigns, he cannot receive any compensation from touring — which is what Mick is trying to get. It’s clear-cut that Mick is not entitled to any more money.”

Read Variety’s earlier story about Mars’ filing [here](#).

Mars, 71, has said that the disease he has suffered from since age 27, Ankylosing Spondylitis (AS), rendered him unable to be on the road anymore. But he said he was still available for recordings, one-off shows or residencies, and contends in the suit he filed Thursday morning that even if he didn’t play anymore, he hasn’t given up any rights as a one-quarter shareholder in the band’s many companies.

Frid’s initial reply to Mars’ legal action further said, “Mick’s lawsuit is unfortunate and completely off-base. In 2008, Mick voted for and signed an agreement in which he and every other band member agreed that ‘in no event shall any *resigning shareholder* be entitled to receive any monies attributable to live performances (i.e., tours).”

Mars’ suit — filed as a request for records and documents, in response to the band filing its own suit taking him to arbitration — included the allegation that he was the only member of the quartet playing live through 100% of the 36 shows on the 2022 stadium tour. He said Nikki Sixx didn’t play a note live, and that Vince Neil and Tommy Lee were sometimes seen or heard by audience members away from mics or instruments when their parts were going on.

Frid replied to that: “Equally unfortunate are his claims about the band’s live performances. Mötley Crüe always performs its songs live, but during the last tour, Mick struggled to remember chords, played the wrong songs and made constant mistakes which led to his departure from the band. There are multiple declarations from the band’s crew attesting to his decline,” which the attorney provided to *Variety*. “The band did everything to protect him (and) tried to keep these matters private to honor Mick’s legacy and take the high road. Unfortunately, Mick chose to file this lawsuit to badmouth the band. The band feels empathy for Mick, wishes him well and hopes that he can get better guidance from his advisors who are driven by greed.”

In the attached signed declarations, seven crew members offer complaints about Mars’ playing in the 2022 tour. Robert Long, the band’s production manager since 2007, said in the statement provided by group attorneys: “When he is off, the band’s entire performance suffers. Mick’s performance during the Stadium Tour was unworkable and very difficult to manage. It began with the band’s rehearsals in April 2022. Mick would consistently forget

chords and songs so the band would have to stop and re-teach those parts to Mick to remind him of the arrangements. ... Mick's performance issues continued throughout the tour. He would consistently miss notes; play out of tune; play the wrong chords during a song; stay within a chorus of a song and never come out of it; forget the song that he was playing and start a different one; and would get lost in songs. This happened at every show. ... Our playback engineer put in cues for Mick so that he would stay on course but he would miss the cues."

Mars, in response to criticisms other members had of him during or since the tour, said in the suit and in an interview with *Variety* that cues he missed were due to oddities in the sound mix. He claims that the mix in his monitors had studio tracks that the group was playing along with — or miming to, in some cases — but that his own attempts to play completely live were complicated by hearing a playback in which the bass frequencies overwhelmed his own parts.

Tour manager Thomas Reitz, who joined the band with the 2022 tour (and is continuing on in 2023 as the group plays with a new guitarist), declared in his statement that "Mick was struggling, forgetting chords and songs. He was not up to speed with the songs and could not play his solos. The other band members spent hours trying to help Mick. Mick would often get frustrated and confused. I also witnessed the band and crew's frustration with Mick's mistakes first hand during the rehearsals. Mick's issues continued and got worse during the tour. Virtually at every concert, he played the wrong chords, wrong song or would forget what song he was playing. A sound technician would always need to have a backup track ready in case Mick played the wrong song or chord."

The group's monitor engineer, Scott Megrath, who also started working with Motley Crue with the 2022 tour, said in his declaration that, at certain points, "I had to make sure that the other band members would not get Mick's feed into their earpieces because that would confuse them and potentially ruin the show. Mick's mistakes happened on numerous occasions and at every show. In my years of experience, I have never seen mistakes like this by a guitarist on stage."

The other four declarations from crew members — including Nikki Sixx's bass tech, Fred Kowalo; Tommy Lee's drum tech, Steve Morrison; production coordinator/designer Ashley Zappar; and front-of-house engineer Brent Carpenter — proceed along the same lines as the above statements.

Ultimately, it's not clear whether these and the other statements Crue's attorneys provided about his performance will be an important part of the arbitration to come. The primary thrust of their argument against Mars is that he resigned from the band of his own volition, not that he was fired — although the guitarist's contention is that neither of those things have happened and, legally, he is still in the band.

Mars further told *Variety* in a yet-to-be published interview that if he were asked to play any of the band's songs on the spot, without preparation, he could play them all perfectly, from memory, whereas the other members could not, in his view. He cited incidents during rehearsal for the 2022 tour in which he claimed Sixx had to ask him for a reminder of how certain songs go.

Motley Crue's attorneys say he will continue to get royalties from publishing and sound recordings, but that he is not entitled to be a shareholder in anything else going forward. Their offer of a severance agreement, as explained in Mars' lawsuit, was 5% participation in what the group will make from the current tour — their first without him — an offer he still considered an insult even when it was upped to 7.5%. He said he had been asked to sign away all future compensation from the band's businesses — except for any merch that might bear his likeness — in return for that share of the current tour's profits. Sources close to the band say that they already negotiated him out of an obligation to Live Nation for the '23 tour, and considered it a favor to have gotten Mars released from that exposure.

Motley Crue's attorneys also shared a copy of an amendment to a shareholder's agreement from 2008 that was drafted with input from all four members. The contract was said to have been amended after periods in which Neil and Mars individually quit the band before coming back, due to confusion at the time over whether they should receive any touring money after they resigned. "In the event that any shareholder resigns from performing and/or rendering services in MC," the document says, "he shall not be permitted to continue to use the trademarks for any purposes whatsoever" — and, additionally, "no amount of purported value shall be attributable to the trademarks at the time of recognition."

Sources in the Crue camp say that when Neil and Mars had their moments of not being in the band, they did not receive compensation while they were out — and that Mars was all for that continuing in the future. At issue, of course, though, is Mars' belief that he can make contributions to the band outside of touring. As for making records, though, which the guitarist said he would like to continue being a part of, Sixx has indicated in interviews that he does not foresee Motley Crue releasing new albums going forward.

Many fans have been transfixed by the Motley Crue saga since, prior to Mars filing court papers Thursday afternoon, it was still a mystery to the public as to how things were shaking out privately since the guitarist and the rest of the group made their contrasting public statements about his status in October. Now it's clear: these veteran bandmates might be giving the deeply combatant members of Journey a run for their money.

No date is currently set for the arbitration between Mars and the rest of the group.