

How Mariah Carey Avoided Legal Fallout After Her New Year's Eve Meltdown

8:00 AM PDT 5/2/2017 by Rebecca Sun



Noam Galai/WireImage/Getty Images

Mariah Carey

Controlling the messaging is key, says her lawyer Bryan Freedman, who reveals tips on how to deal with such disasters.

It had all the makings of becoming the first lawsuit of 2017. Exactly 20 minutes before the ball dropped in Times Square, Mariah Carey failed to sing along to recordings of her hits "Emotions" and "We Belong Together" before a live worldwide audience. New Year's Day saw her camp trade accusations with Dick Clark Productions, with Carey's manager threatening legal action if DCP didn't apologize for failing to resolve technical issues and allowing the diva to go onstage anyway. DCP fired back with a statement calling those suggestions "defamatory" and "outrageous."

Still, no claims have yet been filed by either party. That's in part because of proactive measures taken by Carey's team. After an incident goes down, "you're going to spend the next 24 to 72 hours doing everything legally possible to pressure the other side into some sort of messaging that makes sense for both people," says Bryan Freedman, who represents Carey in legal disputes. He criticizes the Times Square audio producer for denying any malfunctions on his end "instead of recognizing that you have a covenant of good faith and fair dealing. No one wants to hear that you're going to blame the artist the first time there's a problem."

Freedman also advises against filing defamation claims too hastily. "Ask yourself if you're adding to the negative notoriety." But if a situation warrants a lawyer like Freedman getting involved, it's important to draft a complaint in a way that strongly conveys the client's perspective from the outset, since "the media reads just the first couple of pages, and what's in the papers is going to be the story." To him, Mimi's messaging — she tweeted "shit happens" two hours into the new year — was flawless.



REBECCA SUN

✉ THRnews@thr.com

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