

Rock Band Five Finger Death Punch, Jeff Kwatinetz Settle Legal Battle (EXCLUSIVE)

After 18 months of stasis, new songs are due in December.

By Zena Tsarfin ▾



Jason Swarr

After eighteen months of legal limbo, hard rock group [Five Finger Death Punch](#) has settled its lawsuit with label [Prospect Park](#) and former manager [Jeff Kwatinetz](#).

In a statement provided exclusively to *Variety*, the Las Vegas-based act announced: “The band Five Finger Death Punch and its label, Prospect Park, have resolved their dispute and differences. The band and the label are excited to announce the release of a greatest hits album with two new songs in December 2017 and the release of a new record next year. The band is very proud of the new record and looks forward to releasing it and playing for its fans.”

The legal miasma first began in April 2016 when Prospect Park filed suit against the band in Los Angeles Superior Court for breach of contract for commencing work on what the company considered an unauthorized new record, their last for the label. Prospect Park claimed a stipulation prevented FFDP from entering the studio until nine months after the release of their prior album, September 2015’s “Got Your Six.” Prospect Park asserted that FFDP were eager to push out a “rushed... mediocre studio album,” and were “shamelessly attempting to cash in before the anticipated downfall of their addicted bandmate,” later revealed to be vocalist Ivan Moody, who has publicly shared his struggles with substance abuse. Additionally, the suit claimed that the band’s current management team, [Allen Kovac](#) at Tenth Street, swayed the band’s decisions to leave the label; and that FFDP refused to deliver two new songs for a greatest hits project. Those claims were quickly refuted and the suit against Tenth Street was dropped shortly thereafter.

From the Five Finger Death Punch perspective, the band insisted that Kwatinetz and Prospect Park were attempting to stall the creative process after stifling original plans to create an acoustic-based album despite previously agreeing to the premise, and data suggesting it would be a hit among their target audience. FFDP surmised that this hostility and subterfuge were retaliation for relieving Kwatinetz of management duties, asserting that he was fostering a conflict of interest as label head. There was also the suggestion that keeping FFDP in the Prospect Park portfolio was used to demonstrate an asset and profit to the record imprint.

Court documents also asserted that Kwatinetz sought to reject FFDP’s longtime co-producer, Kevin Churko, for their final release despite a successful collaborative history. Further, FFDP wholly rejected the notion that they would sabotage their own careers by putting out lackluster material, and that the label’s concerns over Moody were hollow.

In May 2016, Five Finger Death Punch signed a new North American recording agreement with Rise Records, an affiliate of BMG, set to begin as soon as their obligations to Prospect Park are fulfilled.

Throughout this time, the band has continued to tour both domestically and internationally, but not without their own internal turmoil. In April 2017, Moody wrote: “the lawsuit by Prospect Park holding our new album hostage has taken a toll on me,” and mentioned being in a rehabilitation facility when the lawsuit was filed the year prior. In mid June, Moody dropped off of FFDP’s highly anticipated European tour to again seek treatment for substance abuse after a now-infamous onstage meltdown in Tilburg, Netherlands. They continued the tour with a temporary replacement vocalist before Moody returned to the fold in August to complete a run on the U.S. festival circuit.

During a summer interview with *Kerrang!*, guitarist Jason Hook stated that the quintet’s final recordings meant for Prospect Park were delivered on December 31, 2016 and had been held in stasis ever since, adding that he was mystified as to why they had been sued in the first place. “Ask him [Kwatinetz] why he’s suing us, ‘cause we’re not sure.”

In addition to the greatest hits album to be released in December, the band’s upcoming plans also include a fall tour throughout Russia, Europe and U.K. after a scheduled performance at the Monster Energy Aftershock Festival in Sacramento this October.

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