

# THE SENATOR AND THE GOSSIP QUEEN



# YOU CAN'T BANK ON LOVE, CLAUDIA

Claudia Cohen may be crazy about Sen. Al D'Amato — but the multimillionairess would be nuts not to cover her assets with an airtight prenuptial agreement, experts say.

"It would be a sign of mental deficiency for a woman of her wealth to go ahead with a marriage without a pre-nuptial agreement," celebrity divorce lawyer Marvin Mitchelson told *The Post*.

Jay Goldberg — the legal eagle who used a pre-nup to shield many of Donald Trump's millions from ex-wife Ivana

By LOU LUMENICK

— said Cohen "absolutely" needs a good agreement to protect the \$80 million settlement she got from ex-husband Ronald Perelman.

A source close to Cohen said it was "very premature" for her to think about a pre-nup, since D'Amato

## Lawyers: Get pre-nup or face huge Alimony bill

isn't divorced yet — and Cohen and D'Amato aren't even engaged.

"I don't think one has a pre-nuptial agreement drawn before you're even engaged," said the source, who spoke on condition of anonymity.

But that didn't stop the nation's top divorce lawyers from offering free advice to Cohen.

Goldberg said the Park Avenue socialite needs to make sure her fortune is kept separate from the much poorer senator's finances — so it would not be subject to divvying up at the end of their marriage.

Cohen also needs to protect herself and her 3-year-old daughter, Samantha, from any claims D'Amato might make on increases

to her fortune during the marriage, Goldberg said.

Without a pre-nup, D'Amato could claim in divorce court that he gave her investment advice and was entitled to a piece of the action.

A well-drawn pre-nup essentially takes financial issues out of court if they get divorced — a big plus for Cohen if she marries one of the state's most powerful politicians.

"If you were in her position, you would want your liability to be resolved right now, and not being decided down the line by

some politically connected judge," Goldberg said.

Other lawyers, such as Douglas Colbert of Manhattan, said a pre-nup might address such potentially explosive issues as where the couple is going to live — and how much each is responsible for the upkeep of each of their multiple residences.

"Otherwise, they're likely to get into the traditional battle of who lives where and who pays what," Colbert said.

The experts say that prenuptial agreements usually hold up in court — un-

less they're judged to be grossly unfair to the poorer spouse.

Mitchelson, whose clients have included Joan Collins and Sonny Bono, said Cohen might take a lesson from her ex-husband's legal travails.

A decade ago, Mitchelson represented Susan Kasen, a florist Perelman had been romantically involved with.

Mitchelson won a palimony judgment "in excess of \$2 million" for Kasen.

"You never know how long these kinds of marriages are going to last,"

he said. "But I hope they stay married for a while. They've both been through the marital wars."

Mitchelson said that while he strongly advises Cohen to go for a pre-nup, "I've never seen one that didn't end up in a divorce. I've always said they're a blueprint for a divorce."

Said Goldberg: "Some say pre-nups are anathema to romance. But my experience is the more well-heeled a client is, the more they will rely on these type of agreements to avoid being caught up in a legal battle."