

New Round in Divorce of Minnelli

By Anemona Hartocollis

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David Gest asked a judge in Manhattan yesterday to set aside his prenuptial agreement with Liza Minnelli, in the latest development in their long-running divorce battle.

His lawyers said that Mr. Gest had reason to believe that Ms. Minnelli was infected with herpes, was an alcoholic and was prone to violence, and that she had hidden all these conditions from him before their marriage. If Mr. Gest had known these things, he would “not have willingly entered into the prenuptial agreement,” the lawyers said.

“There was nondisclosure, substantial nondisclosure, of several material issues,” Susan Moss, a lawyer for Mr. Gest, a producer and promoter, said after a court appearance yesterday.

Ms. Moss declined to further characterize the “material issues,” noting that she had made her motion in the judge’s chambers and that the record, as is customary in divorce proceedings, was sealed.

But Mr. Gest’s lawyers were more specific about his accusations in an interview before the hearing yesterday and in papers filed in a related civil case.

In that case, Mr. Gest alleges that Ms. Minnelli beat him while in a drunken rage, and he seeks \$10 million in damages.

“The assault substantially affected his health and his life,” said Lorraine Nadel, Mr. Gest’s lawyer in that case.

If the couple’s prenuptial agreement were nullified, it could change the terms of the divorce settlement.

Ms. Minnelli’s lawyer, Israel Rubin, who represented the singer in court yesterday, declined to comment on specific allegations, and would say only, “This whole thing is ridiculous.”

In papers filed by Mr. Gest on June 22 in State Supreme Court in Manhattan, Mr. Gest’s lawyer at the time, Lawrence A. Omansky, discusses some of the background of the case. He said that Ms. Minnelli had accused Mr. Gest of fabricating his claim that she exposed him to

a sexually transmitted disease because he was “merely looking to cook up an excuse for a lawsuit.”

Ms. Minnelli has also accused Mr. Gest of being a hypochondriac and of “inventing and/or creating illusory injuries,” according to the court papers.

In the documents, Ms. Minnelli has claimed that “she lived in fear” that Mr. Gest was “trying to poison her with drugs,” and that if she hurt Mr. Gest, it was in self-defense.

Ms. Nadel said she had been told that at the time of the marriage, in March 2002, Mr. Gest had more than twice as much money as Ms. Minnelli.

Mr. Gest’s lawyers asked the matrimonial judge, State Supreme Court Justice Harold B. Beeler, to order a trial to determine the validity of the prenuptial agreement.

“We expect to go to trial in this case as soon as the judge will give us a trial date, which we expect will be after the new year,” Ms. Moss said.