

Michael Gouriet

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Michael is a partner in the divorce and family team.

Michael has been an integral member of the market leading divorce and family team at Withers for nearly 30 years.

Michael advises on all aspects of family law (including pre- and post-nuptial agreements) with particular emphasis on the resolution of financial issues for wealthy individuals whether married or unmarried and usually with international interests. Michael has acted in numerous divorce cases involving trusts and businesses. Michael also has extensive experience of children law matters, including international relocation.

His breadth of work involves close liaison with many other specialist practice areas at Withers including the contentious trusts and estates team and the wealth planning teams in London, US, Switzerland and Asia (often stress-testing wealth holding structures and advising families on succession).

Michael's wide variety of clients (from UK, Europe, US, Middle East and Russia) include business owners and entrepreneurs, financiers and other city professionals, landowners, sports and music stars, politicians, and their spouses/partners.

Michael provides expert media commentary on family law issues, and he has chaired and lectured at various family law conferences in England and abroad.

Michael is a certified family law arbitrator, and a trained collaborative lawyer. He has been a member of Resolution's Cohabitation Committee since its inception in 1995.

Michael has for several years been listed as a leading family lawyer in the legal directories (including Chambers & Partners, Legal 500, Spears, and Citywealth) in which he has variously been described as 'a real class act'; 'measured, sensible and knows his law'; 'highly intelligent, very efficient and a pleasure to deal with - a really

strong practitioner'; 'is just excellent and often sought after by high net worth individuals'; a 'first-class lawyer'; and 'he has encyclopaedic knowledge in the area'.

When not at his desk, Michael enjoys playing and watching sport (including running his own cricket side, tennis, road cycling and skiing), and spending time with his family.

Track record

Non-disclosure case

D v D [2015] - a case involving allegations of non-disclosure, and sharing of future income from offshore contracts entered into during marriage.

Disclosure in divorce proceedings

Tchenguiz-Imerman v Imerman [CA 2010], which changed the law on disclosure and confidentiality of documents between spouses in divorce proceedings.

Trust beneficiaries in divorce

Two further reported decisions of *Tchenguiz-Imerman v Imerman* [2013] relating to the joinder of trust beneficiaries to financial proceedings on divorce and consequential disclosure.

Opposing mother's application

Acting for the father in the ground breaking children's case of *C v C International Relocation* [2011], successfully opposing the mother's application to move with the children to live in the US. This case preceded the similar decision by the Court of Appeal in the landmark case of *K v K* later that year (in which Withers also acted for the successful father).

Asset tracing

OS v DS [2004] creating a new precedent for asset-tracing.

Talks

- ThoughtLeaders4 - DR Future of Family Practice May 2022 'Deal making'
- Resolution National Conference, Birmingham, May 2022 - Cohabitation agreements
- ThoughtLeaders4 HNW Trusts and Divorce conference January 2021 - 'Divorce proofing - surviving an attack'

- SGLC webinar on 'variation of orders in pandemic' June 2021
- IBC Trusts in Divorce Litigation conference July 2018 - presented cross practice seminar
- IAFL Stuttgart - September 2018 - cross jurisdictional panel on international service
- Resolution National Conference, Newcastle, April 2016 - panellist on 'Cohabitation Compared and Contrasted in England and Wales, Scotland and the Republic of Ireland'
- IBC Conference on International Cross Border Estate Planning for Divorce, London, January 2016 - speaking on 'Third Party Rights: How Does the Divorce Court Deal With Them'
- STEP (in partnership with IAML) conference in London, December 2014 on the Family Business and Family Law - speaking on trusts and divorce
- Legal Week Trust and Estates Litigation Forum, Provence, 2014 - chaired focus group on trust and divorce issues following UK Supreme Court decision in *Prest v Petrodel Resources Limited*
- Legal debate in June 2014 on privacy and transparency in family courts - panel member (with High Court Judge and national newspaper editor)
- American Bar Association RPTe Spring Symposia, New York, 2012 - speaking on 'When a Marriage Goes Global - International Estate Planning Aspects of Marital Planning and Dissolution'
- Butterworths Matrimonial Finance and Divorce conference, London, April 2010 and May 2011 - chair and speaker

External publications

'Tax Planning for Farm and Land Diversification', LexisNexis, divorce chapter

'Resolution handbook on cohabitation law', contributor

Family law piece, *FT Weekend Magazine* - November 2010

Admissions

England and Wales, 1995

Education

University of Edinburgh, M.A. (Hons)

College of Law, Guildford (CPE and Law Society Finals)

Languages

English

Memberships

International Academy of Family Lawyers (IAFL) - current treasurer of the European chapter

Chartered Institute of Arbitration

Resolution

Collaborative Family Law

Key dates

Year joined: 1993

Year became partner: 2002

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