

# 'I'm a lawyer and this is what will happen to Britney's money in her divorce from Sam'

EXCLUSIVE: With the news of Britney Spears and Sam Asghari's split, two lawyers have spoken to OK! about the pair's prenup, and whether this will be scrapped by the courts

CELEBRITY NEWS

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[Britney Spears](#) and Sam Asghari's split could lead to a rather messy divorce, with reports claiming that [Sam has allegedly threatened to go public with "embarrassing information about Britney"](#) if he doesn't get a large payout.

Despite this threat, others have suggested that the prenup, [which he signed ahead of their wedding in June 2022 and after six years together](#), keeps Britney's assets as separate property, not marital assets, meaning he will be highly unlikely to get any extra cash.

Now [Samantha Woodham, Barrister at 4PB](#), has exclusively told **OK!**: "In cases like this, prenups exist to make sure there's clarity from the very beginning about the way assets will (or won't) be split once the couple divorces.



 Britney Spears and Sam Asghari have split after just 14 months together (Image: Getty Images for GLAAD)

"Under normal circumstances, it's far simpler to navigate divorces following a short marriage with a prenup in place, than a long marriage without one.

"If this were happening in England, in order to persuade the courts that the prenup shouldn't be upheld, Sam would need to prove that he was under duress, fraud or misrepresentation when it was signed.

"The other main argument he could make is that the terms of the prenup would leave him in a position of huge financial disadvantage and real need.

"But given this was such a short marriage and the agreement would have been drafted by a highly experienced legal team, it's unlikely the terms of the agreement would leave Sam in a position of real need."



Photo of Britney Spears and Sam Aspinall. Britney Spears is said to have challenged the prenup agreement after their short marriage.

While Julie Cohen family law associate at SA Law tells us that California's courts tend to be reluctant to stray away from "properly executed" pre-nuptial agreements.

She told **OK!**: "California courts are reluctant to stray away from terms of a properly executed prenuptial agreement and I would be interested to know what arguments, if any, Sam intends to raise in an effort to challenge that agreement, especially after such a short marriage.

If he successfully argues that the prenup should be set aside then the California family court will need to look at the matter completely afresh and decide what portion of Britney's assets and income were accumulated during her marriage with Sam and, as such, are shareable with Sam pursuant to California's 'community property' jurisprudence."



Sam is alleged to have threatened to release "embarrassing information" about Britney if he does not get more money in the divorce (Image: Shutterstock)

She continued: "It is possible that any payments received in relation to Britney's new book deal would be considered matrimonial in nature.

"As the parties executed a prenuptial agreement prior to their marriage, then their next steps would be governed by the terms of that agreement in the first instance, unless those terms were found to be unfair to either of them to such an extent that the prenup should be disregarded in whole or in part.

"Assuming the prenup is enforced, Sam will be able to secure whatever financial support was contemplated and agreed in that prenup."