STATE OF MICHIGAN

COURT OF APPEALS

HALEH KHOLDANI-GOFFAS, Plaintiff-Appellant,	UNPUBLISHED September 11, 2026 9:25 AM
v	No. 375200 Wayne Circuit Court
GEORGE T. GOFFAS, Defendant-Appellee.	LC No. 23-105485-DO
HALEH KHOLDANI-GOFFAS, Plaintiff-Appellee,	
v	No. 375202 Wayne Circuit Court
GEORGE T. GOFFAS, Defendant-Appellant.	LC No. 23-105485-DO

Before: LETICA, P.J., and RICK and GARRETT, JJ.

PER CURIAM.

The parties divorced on March 24, 2025, after more than 30 years of marriage. For purposes relevant to these appeals, the judgment of divorce: (1) divided the marital estate, (2) awarded plaintiff $3,500 in monthly spousal support for 96 months, and (3) denied plaintiff's request for attorney fees. Plaintiff, Haleh Kholdani-Goffas, appeals by right the judgment of divorce in Docket No. 375200, and defendant, George T. Goffas, appeals by right the judgment of divorce in Docket No. 375202. This Court consolidated the appeals. *Haleh Kholdani-Goffas v George T. Goffas*, unpublished order of the Court of Appeals, entered April 15, 2025 (Docket Nos. 375200 and 375202). We affirm in both appeals.

I. BACKGROUND

In 1994, the parties married. Plaintiff, a dentist, worked part-time and cared for the parties children and the household.[1] Defendant worked full-time as a dentist and cosmetic surgeon and handled the parties' finances. The parties' marriage deteriorated over time, with each party blaming the other for the breakdown in the marital relationship. In 2018, defendant moved out of the marital bedroom, and in May 2023, plaintiff filed for divorce. The trial court entered a mutual restraining order concerning the parties' finances, which was intended to maintain the parties' fiscal status quo. During the divorce proceedings, plaintiff was diagnosed with an illness, which impacts nerve conduction and causes weakness in the hands and feet. Plaintiff, because of the disparity in the parties' incomes, was awarded $10,000 for attorney fees and expert witness fees during the proceedings.

After the parties reached a partial resolution of some issues during mediation, a bench trial commenced on May 29, 2024 concerning the remaining issues. Trial continued over several dates, finally ending on October 31, 2024. In relevant part, plaintiff requested spousal support, attorney fees, and reimbursement for the marital assets she alleged defendant dissipated during the proceedings. She also sought compensation for her share in defendant's dental and plastic surgery practices: Metropolitan Oral & Maxillofacial Surgery, PLLC (Metro Oral), and Pointes Plastic Surgery, PC, doing business as Cosmetic Surgeons of Michigan (Pointes Plastic Surgery). The values of these practices were heavily disputed, with each party presenting their own expert testimony regarding valuation. The parties also disputed whether real property located on Greater Mack Avenue in St. Clair Shores, Michigan, was defendant's separate property.

In February 2025, the trial court issued a written opinion and order. In relevant part, the trial court found the value of Metro Oral was $304,634.50, the value of Pointes Plastic Surgery was $517,000, and the Greater Mack Avenue property was marital property. However, the court also found that a $250,000 down payment on the Greater Mack Avenue property was defendant's separate property, not subject to division. The court ordered defendant to pay plaintiff (1) her portion of the equity in the Greater Mack Avenue property, less $250,000; and (2) 50% of her interests in defendant's medical practices. The court also awarded plaintiff (1) $30,000 for her share of the marital funds the court found defendant dissipated; and (2) $3,500 in monthly spousal support for 96 months. The court denied plaintiff's request for additional attorney fees and costs. In March 2025, the court entered a judgment of divorce, and these appeals followed.

II. DIVISION OF THE MARITAL ESTATE

Defendant challenges the trial court's valuation of the dental and medical practices. Plaintiff challenges the court's valuation of Metro Oral and its determination that the $250,000 down payment on the Greater Mack Avenue property was defendant's separate property, not subject to division. Our review of the record shows that no clear error occurred.

A. STANDARDS OF REVIEW

"In a divorce action, we review for clear error a trial court's factual findings related to the division of marital property." *Cunningham v Cunningham*, 289 Mich App 195, 200; 795 NW2d

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[1] The parties' children were adults at the time plaintiff filed for divorce.

826 (2010). "[A] trial court's findings of fact regarding whether a particular asset qualifies as marital or separate property" are also reviewed for clear error. *Woodington v Shokoohi*, 288 Mich App 352, 357; 792 NW2d 63 (2010). "[T]his Court will review the method [for valuing a business] applied by the trial court, and its application of that method, to determine if the trial court's valuation was clearly erroneous." *Kowalesky v Kowalesky*, 148 Mich App 151, 155-156; 384 NW2d 112 (1986). Questions of law are reviewed de novo. *Cunningham*, 289 Mich App at 200.

> A finding is clearly erroneous if, after a review of the entire record, the reviewing court is left with the definite and firm conviction that a mistake has been made. This Court gives special deference to a trial court's findings when they are based on the credibility of the witnesses. If the trial court's findings of fact are upheld, this Court must decide whether the dispositive ruling was fair and equitable in light of those facts. The dispositional ruling is discretionary and should be affirmed unless this Court is left with the firm conviction that the division was inequitable. [*Welling v Welling*, 233 Mich App 708, 709; 592 NW2d 822 (1999) (quotation marks and citation omitted).]

B. ANALYSIS

1. GENERAL LEGAL PRINCIPLES

The purpose of a divorce judgment is to fix the property rights and interests of the parties. *Westgate v Westgate*, 291 Mich 18, 28; 288 NW 860 (1939). "The goal in distributing marital assets in a divorce proceeding is to reach an equitable distribution of property in light of all the circumstances." *Gates v Gates*, 256 Mich App 420, 423; 664 NW2d 231 (2003). "The trial court is given broad discretion in fashioning its rulings and there can be no strict mathematical formulations." *Sparks v Sparks*, 440 Mich 141, 158-159; 485 NW2d 893 (1992). "A division of property in a divorce action need not be equal, but it must be equitable." *Jansen v Jansen*, 205 Mich App 169, 171; 517 NW2d 275 (1994).

In reaching an equitable division, the trial court must first determine what property is considered marital property and what property is considered separate property. *Cunningham*, 289 Mich App at 200. Marital assets are generally subject to division between the parties, but the parties' separate assets may not be invaded unless certain exceptions exist. *Reeves v Reeves*, 226 Mich App 490, 494; 575 NW2d 1 (1997).

> As a prelude to this property division, a trial court must first make specific findings regarding the value of the property being awarded in the judgment. There are numerous ways in which a trial court can make such a valuation, but the most important point is that the trial court is obligated to make such a valuation if the value is in dispute. Accordingly, we have held that a trial court clearly errs when it fails to place a value on a disputed piece of marital property. [*Olson v Olson*, 256 Mich App 619, 627-628; 671 NW2d 64 (2003) (footnote and citations omitted).]

The valuation of property can be based on (1) expert testimony; (2) lay testimony; (3) the parties' testimony; or (4) testimony of an independent expert appointed by the trial court "to provide it with a perhaps more objective valuation." *Id*. at 627 n 4. If "marital assets were valued between divergent estimates given by expert witnesses," "the trial court has great latitude in arriving at a final figure." *Pelton v Pelton*, 167 Mich App 22, 26; 421 NW2d 560 (1988). "The trial court ha[s] the best opportunity to view the demeanor of the witnesses and weigh their credibility." *Id*.

2. POINTES PLASTIC SURGERY

At trial, the value of Pointes Plastic Surgery was heavily disputed, with each party calling their own expert witness. Plaintiff called Donald Price, who valued Pointes Plastic Surgery as a going concern at $517,000, and the trial court adopted Price's valuation. Defendant argues this was erroneous because his expert, Joseph Zrenchik, properly considered Pointes Plastic Surgery's location in valuing the practice and used the proper valuation approach, i.e., the value of Pointes Plastic Surgery to a hypothetical third-party buyer. It is clear, however, that the trial court decided to value Pointes Plastic Surgery based on its value to defendant as a going concern rather than its value to a hypothetical third-party buyer. This approach was not clearly erroneous because defendant planned to continue operating Pointes Plastic Surgery for another five years at the time of trial, and he claimed the practice had little sale value to a third-party. See Cunningham, *Equitable Distribution & Professional Practices: Case Specific Approach to Valuation*, 73 Mich B J 666, 667-668 (1994) (comparing the holder's interest method of valuation to a fair market value method of valuation). In adopting Price's valuation of Pointes Plastic Surgery, the trial court expressly stated Price's method was reliable and Price was more credible than Zrenchik. We give special deference to a trial court's findings of fact stemming from credibility determinations. See *Welling*, 233 Mich App at 709. Notably, a trial court has "great latitude" in its determination of the value of a marital asset, and we will not find clear error if the valuation "is within the range established by the proofs. . . ." *Jansen*, 205 Mich App at 171. We therefore affirm the trial court's valuation of Pointes Plastic Surgery.

3. METRO ORAL

Both parties dispute the trial court's valuation of Metro Oral, and the trial testimony concerning its value varied greatly. The trial court valued Metro Oral at $304,634.50, and defendant argues that the court failed to make sufficient findings to support its valuation. When valuing Metro Oral, the trial court noted it heard "extensive testimony" from Price, defendant, and Zrenchik with respect to Metro Oral's value. The court did "not deem Mr. Zrenchik's valuation of $74,269, to be appropriate, as he attempted to convince the Court that the practice which earns $100,000 annually for 5-6 days/month of work to be a 'charity' case." The court found Metro Oral was not a "charity," noting defendant paid himself a monthly salary between $7,500 and $10,000 from the practice even though he worked there only five to six days per month. Based on this, the court found Metro Oral had "substantial value" and was a "healthy going concern." Nonetheless, the court noted that Price valued Metro Oral at $535,000, which was higher than the valuation of Pointes Plastic Surgery, "although it has less revenue, less income, and less owner's compensation." The court determined a value of $304,634.50 was appropriate based on the witness testimony and Metro Oral's financial information. The court explained it "derived this number by adding Mr. Price and Mr. Zrenchik's valuation and dividing by two (($535,000 $74,269)/2 = $304,634.50)." We conclude that the trial court made specific findings concerning Metro Oral's value, see *Olson*, 256 Mich App at 627, and that its findings were not clearly erroneous.

Plaintiff takes issue with the trial court's method of determining Metro Oral's value by averaging Price's valuation, which considered Metro Oral's value to defendant as a going concern through an income approach and a market approach, and Zrenchik's valuation, which considered Metro Oral's value to a third-party buyer. Plaintiff argues *Kowalesky* required the trial court to consider Metro Oral as a going concern. However, *Kowalesky* says nothing of the sort. It states no "single method should uniformly be applied in valuing a [business]. Rather, this Court will review the method applied by the trial court, and its application of that method, to determine if the trial court's valuation was clearly erroneous." *Kowalesky*, 148 Mich App at 155-156. It is well-established that there are many ways for a trial court to determine the value of disputed property. See *Olson*, 256 Mich App at 627.

Plaintiff also argues that the trial court misunderstood Price's testimony as applying to a full-time practitioner when Price's valuation was based on "the income and holder's interest value" of Metro Oral because defendant practiced there. Plaintiff asserts the court should not have averaged Price's and Zrenchik's valuations because Price already averaged the income and market approaches when reaching his valuation for Metro Oral. However, it appears the court decided to average Price's and Zrenchik's valuations because the court determined Price's estimate was too high and Zrenchik's estimate was too low. In any case, the court properly exercised its discretion and selected a value between the holder's interest and the fair market value of Metro Oral. This was not clearly erroneous. See *Jansen*, 205 Mich App at 171.

Despite the fact that the trial court's ultimate conclusion was within Price's and Zrenchik's valuations, defendant complains that the court failed to consider the nuances of Metro Oral when valuing it. Defendant asserts the court failed to appreciate that Metro Oral is a dental practice that accepts Medicaid, which he contends significantly affects its value. However, the record shows that the court (1) recognized the unique circumstances involved, (2) applied the values contained within Price's and Zrenchik's testimony, (3) considered other relevant evidence presented, and (4) determined its own valuation based on all the evidence presented. The court took great pains to reach an equitable decision based on the evidence before it. "The trial court . . . cannot be responsible for what is presented in evidence and what is not. Its role is that of factfinder, not fact provider." See *Perrin v Perrin*, 169 Mich App 18, 23; 425 NW2d 494 (1988). "To send this case back for further proceedings" so the parties can essentially relitigate the value of Metro Oral when they already had the opportunity to do so "would defeat the policy of resolving litigation with finality and fairness." See *id*. The trial court's valuation of Metro Oral was within the range established by the experts at trial, and we are not left within a definite and firm conviction a mistake was made. See *Jansen*, 205 Mich App at 171.

4. THE $250,000 DOWN PAYMENT

Plaintiff next challenges the trial court's determination that the $250,000 down payment on the Greater Mack Avenue property was defendant's separate property. Plaintiff does not dispute that the $250,000 was initially a separate asset because it was a gift to defendant from his father. See *Hanaway v Hanaway*, 208 Mich App 278, 293-294; 527 NW2d 792 (1995) (gifts from a living donor to one spouse alone are generally considered separate property). Rather, plaintiff argues the money lost its separate character. "[S]eparate assets may lose their character as separate property and transform into marital property if they are commingled with marital assets *and* treated by the parties as marital property." *Cunningham*, 289 Mich App at 201 (emphasis added; quotation marks and citation omitted). "The actions and course of conduct taken by the parties are the clearest indicia of whether property is treated or considered as marital, rather than separate, property." *Id*. at 209.

The record supports the trial court's determination that the $250,000 down payment retained its separate character. There is no dispute that defendant received the $250,000 down payment from his father to help purchase the Greater Mack Avenue property, which defendant used for business purposes. There is no indication that defendant ever transferred the $250,000 into a marital account. Notably, the Greater Mack Avenue property was initially purchased under the name George Goffas M.D. PC. In the years that followed, the property was conveyed to (1) GG & P, LLC, which defendant testified was created for him and his sisters, (2) G & P Real Estate Investments, LLC, which defendant and his nephew owned, and (3) N & G Real Estate Investments, LLC, which defendant and his sisters owned. Defendant and his sisters testified it was their father's intention for them to equally divide the $250,000 used for the down payment. The manner in which defendant handled the Greater Mack Avenue property reflects that he planned to honor his father's wishes, and he did not treat the $250,000 down payment as marital property. Notably, the Greater Mack Avenue property was not the parties' residence. Rather, defendant operated Pointes Plastic Surgery from the property. While plaintiff considered the property itself to be marital property, there is no indication she was aware of the $250,000 down payment or how defendant funded the purchase. Defendant testified plaintiff did not ask him questions about their finances, and plaintiff did not dispute this testimony. In sum, the $250,000 did not transform into marital property through commingling, and the parties did not treat it as marital property. Cf. *Cunningham*, 289 Mich App at 209; *Pickering v Pickering*, 268 Mich App 1, 12-13; 706 NW2d 835 (2005).

Citing MCL 552.401, *Reeves*, 226 Mich App at 495, and *McNamara v Horner*, 249 Mich App 177, 180-185, 642 NW2d 385 (2002), plaintiff argues the $250,000 is subject to division because of her contributions during the marriage. Under MCL 552.401, "[w]hen one significantly assists in the acquisition or growth of a spouse's separate asset, the court may consider the contribution as having a distinct value deserving of compensation." *Reeves*, 226 Mich App at 495. We conclude the facts of this case are unlike those of *Reeves* and *McNamara* because no evidence was presented showing the $250,000 appreciated in value, either actively or passively. Rather, the $250,000 was used to help purchase the Greater Mack Avenue property, which was listed on the parties' personal tax returns for certain tax years. Including the Greater Mack Avenue property on the parties' Schedule E impacted their tax liability, and the evidence demonstrated that the parties' taxes were paid with marital funds. However, this evidence supports the trial court's finding that the Greater Mack Avenue property, less the $250,000 down payment, was a marital asset subject to division. The fact that the $250,000 was used to help purchase an asset the court determined was marital is not sufficient to transform the $250,000 into marital property, particularly where the funds are directly traceable to a nonmarital source, i.e., a gift to defendant from his father. Therefore, the trial court properly concluded the $250,000 was defendant's separate property, not subject to division.

III. SPOUSAL SUPPORT

Plaintiff next challenges the trial court's spousal support award. We review a trial court's award of spousal support for an abuse of discretion. *Loutts v Loutts*, 298 Mich App 21, 25; 826 NW2d 152 (2012).

> An abuse of discretion occurs when the trial court's decision falls outside the range of reasonable and principled outcomes. The object in awarding spousal support is to balance the incomes and needs of the parties so that neither will be impoverished; spousal support is to be based on what is just and reasonable under the circumstances of the case. We review for clear error the trial court's factual findings regarding spousal support. A finding is clearly erroneous if, after reviewing the entire record, we are left with the definite and firm conviction that a mistake was made. If the trial court's findings are not clearly erroneous, we must determine whether the dispositional ruling was fair and equitable under the circumstances of the case. We must affirm the trial court's dispositional ruling unless we are convinced that it was inequitable. [*Id*. at 25-26 (quotation marks and citations omitted).]

"A trial court has discretion to award spousal support under MCL 552.23." *Myland v Myland*, 290 Mich App 691, 695; 804 NW2d 124 (2010). Factors to consider in determining spousal support include:

> the past relations and conduct of the parties, (2) the length of the marriage, (3) the abilities of the parties to work, (4) the source and amount of property awarded to the parties, (5) the parties' ages, (6) the abilities of the parties to pay alimony, (7) the present situation of the parties, (8) the needs of the parties, (9) the parties' health, (10) the prior standard of living of the parties and whether either is responsible for the support of others, (11) contributions of the parties to the joint estate, (12) a party's fault in causing the divorce, (13) the effect of cohabitation on a party's financial status, and (14) general principles of equity. [*Berger v Berger*, 277 Mich App 700, 726-727; 747 NW2d 336 (2008) (citation omitted).]

"The trial court should make specific factual findings regarding the factors that are relevant to the particular case." *Korth v Korth*, 256 Mich App 286, 289; 662 NW2d 111 (2003). "The objective of spousal support is to balance the incomes and needs of the parties in a way that will not impoverish either party, and support is to be based on what is just and reasonable under the circumstances of the case." *Woodington*, 288 Mich App at 356. "Spousal support does not follow a strict formula. Indeed, . . . there is no room for the application of any rigid and arbitrary formulas when determining the appropriate amount of spousal support. . . ." *Loutts*, 298 Mich App at 30 (quotation marks and citation omitted; second alteration in original). When reviewing a spousal-support award, this Court's first task is to determine if the trial court's factual findings supporting spousal support were clearly erroneous. *Loutts*, 298 Mich App at 26. "If the trial court's findings are not clearly erroneous, we must determine whether the dispositional ruling was fair and equitable under the circumstances of the case." *Id*.

The trial court considered the spousal-support factors, made findings on each, and then made its award. The court awarded plaintiff $3,500 in monthly modifiable spousal support for eight years—not seven years as plaintiff alleges on appeal. Plaintiff does not contest the trial court's findings; rather, she contests the amount and duration of spousal support, arguing the trial court failed to balance the needs of the parties. We disagree. In awarding spousal support, the trial court found defendant was largely at fault for the breakdown of the marital relationship because of his infidelity. The court was aware of the parties' income, the amount of property awarded to each party, the length of the marriage, the ages of the parties, and the parties' standard of living during the marriage. While plaintiff complains there was a significant disparity in the parties' incomes and that the duration of spousal support the trial court ordered "will not even get her to retirement age for Social Security or Medicare," the court was aware of the parties' ages and found plaintiff was "awarded substantial assets or cash that would allow [her] to live comfortably." Additionally, after acknowledging the disparity in the parties' incomes, the court found plaintiff was "able to work and provide for" herself. Although plaintiff had been diagnosed with an illness, which could impact her ability to practice dentistry in the future, the court found that she was able to work at the time of trial, and plaintiff's testimony supported that finding. If necessary, plaintiff can seek a modification of spousal support in the future.

Notably, "[t]he object in awarding spousal support is to balance the incomes and needs of the parties so that neither will be impoverished; spousal support is to be based on what is just and reasonable under the circumstances of the case." *Loutts*, 298 Mich App at 26 (quotation marks and citation omitted). Contrary to plaintiff's arguments, the trial court complied with this mandate. It specifically considered the parties' income and needs and found both parties would be able to continue a comfortable standard of living post-divorce. Accordingly, the court did not abuse its discretion when awarding plaintiff $3,500 in monthly spousal support for 96 months. To secure relief, plaintiff must do more than simply show increased spousal support would have been a reasonable and principled outcome; she must show the trial court's decision was outside the range of such outcomes. See, e.g., *Webster v Osguthorpe*, ___ Mich ___; ___ NW3d ___ (2025) (Docket Nos. 166627 and 166628); slip op at 19. Plaintiff has not done so.

IV. ATTORNEY FEES

Finally, plaintiff argues the trial court abused its discretion by denying her request for attorney fees. We review for an abuse of discretion a trial court's determination whether to award attorney fees. *Richards v Richards*, 310 Mich App 683, 699; 874 NW2d 704 (2015). We review for clear error a trial court's findings of fact relevant to that determination. *Id*. at 700.

"Under the 'American rule,' attorney fees are not recoverable as an element of costs or damages unless expressly allowed by statute, court rule, common-law exception, or contract." *Reed v Reed*, 265 Mich App 131, 164; 693 NW2d 825 (2005) (citations omitted). "In domestic relations cases, attorney fees are authorized by both statute, MCL 552.13, and court rule, MCR 3.206(C)." *Id*. However, attorney fees are not recoverable as of right. *Id*. The party requesting attorney fees bears the burden of proof. *Safdar v Aziz*, 327 Mich App 252, 271; 933 NW2d 708 (2019).

Plaintiff requested attorney fees under MCL 552.13(1) and MCR 3.206(C). MCR 3.206(D)(2)(a) has been interpreted to require an award of attorney fees "only as necessary to enable a party to prosecute or defend a suit." *Myland*, 290 Mich App at 702 (quotation marks and citation omitted). If a party requests attorney fees and expenses under MCR 3.206(D)(2)(a), he or she "must allege facts sufficient to show that he or she is unable to bear the expense of the action, and that the other party is able to pay." *Colen v Colen*, 331 Mich App 295, 306; 952 NW2d 558 (2020) (quotation marks and citation omitted). The focus, therefore, is on each party's financial status. *Id*. at 307.

Plaintiff sought attorney fees on the basis that she could not afford to pay her attorney's fees, which exceeded $140,000. She noted the significant disparity in the parties' incomes. As required under MCR 3.206(D)(2)(a), the trial court considered the parties' ability to pay and expressly acknowledged the disparity in income levels. The court denied plaintiff's request, stating it was not convinced that plaintiff was "unable to bear the expense of the action," including Price's fees. The court's determination was not erroneous considering that plaintiff was awarded significant liquid assets and spousal support and was able to support herself through her employment as a dentist and instructor at the University of Michigan.

Plaintiff relies on *Myland*, 290 Mich App at 702, in which this Court recognized that "a party sufficiently demonstrates an inability to pay attorney fees when that party's yearly income is less than the amount owed in attorney fees." However, that is "merely an example of one way a party may demonstrate an inability to pay, and whether a party has an inability to pay is dependent on the particular facts and circumstances of each case." *Loutts*, 309 Mich App at 217. The essence of plaintiff's argument is that she has fewer financial resources than defendant, "but the standard for awarding attorney fees under MCR 3.206(D)(2)(a) is more complex than that." See *Colen*, 331 Mich App at 309. A trial court is required "to give special consideration to the specific financial situations of the parties and the equities involved." *Loutts*, 309 Mich App at 218 (quotation marks and citation omitted). Here, the trial court did so, concluding plaintiff was able to bear the costs of litigation.

Plaintiff complains she should not be required to invade her assets and cites *Maake v Maake*, 200 Mich App 184, 189; 503 NW2d 664 (1993), which held: "A party may not be required to invade her assets to satisfy attorney fees when she is relying on the same assets for her support." However, "[t]he property division and the award of attorney fees function in tandem, and a party may be ordered to pay the opposing party's attorney fees if the opposing party was awarded insufficient liquid assets in the property division to pay the fees and costs." *Woodington*, 288 Mich App at 370 (quotation marks and citation omitted). Plaintiff did not establish she was relying on the significant liquid assets awarded to her in the divorce proceedings for support, and she was able to support herself when the divorce judgment was entered for the reasons previously explained. Plaintiff's circumstances do not raise the question of whether she must invade assets she requires for living expenses to pay her attorney fees. Cf. *Ozdaglar v Ozdaglar*, 126 Mich App 468, 472-473; 337 NW2d 361 (1983). Accordingly, the trial court did not abuse its discretion by holding plaintiff was not entitled to attorney fees under MCR 3.206(D)(2)(a), and the court properly denied plaintiff's request for attorney fees under MCL 552.13(1). See MCL 552.13(1).

With respect to plaintiff's request for attorney fees under MCR 3.206(D)(2)(b), that provision addresses "a party's behavior, without reference to the ability to pay." *Richards*, 310 Mich App at 701. See also *Cassidy v Cassidy*, 318 Mich App 463, 481; 899 NW2d 65 (2017) ("MCR 3.206(C)(2)(b) is focused on a party's bad behavior"). For plaintiff to receive attorney fees under MCR 3.206(D)(2)(b), "the attorney fees . . . must have been incurred because of [defendant's] misconduct." See *Reed*, 265 Mich App at 165. There is, in other words, a causal requirement: the party's failure to obey the trial court's order must have caused the incurrence of the fees and expenses. See *Richards*, 310 Mich App at 701-702.

The trial court found defendant's behavior did not warrant an award of attorney fees under MCR 3.206(C)(2)(b). Plaintiff asserts the trial court erred in this regard and argues that defendant violated the "status quo/injunctions more than a few times. . . ." However, defendant testified he did not violate the court's orders relating to depositing his paychecks into the parties' joint PNC account, and he explained why he deposited less money into the account during the divorce proceeding. While the court found defendant dissipated the funds in the account and ordered him to pay plaintiff $30,000 as a result, the court also found defendant's behavior did not justify an award of attorney fees under MCR 3.206(D)(2)(b). Additionally, plaintiff entirely failed to establish a causal connection between defendant's alleged violation of the orders and the attorney fees she incurred. Instead, plaintiff submitted an invoice, requesting more than $140,000 in attorney fees, which is not sufficient. See *Reed*, 265 Mich App at 165-166. Plaintiff's argument that defendant transferred ownership of the Greater Mack Avenue property multiple times also does not warrant an award of attorney fees because this occurred before the divorce proceedings commenced. Plaintiff contends defendant's decision to transfer the Greater Mack Avenue property over the years increased the length of trial, which caused her to incur additional attorney fees, but "the fact that litigation has been lengthy is not by itself reason to conclude misconduct has occurred." See *Reed*, 265 Mich App at 165. We therefore conclude that the trial court did not clearly err by determining defendant's behavior did not warrant an attorney-fee award under MCR 3.206(D)(2)(b).

Affirmed.

/s/ Anica Letica
/s/ Michelle M. Rick
/s/ Kristina Robinson Garrett