

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2022-002742-CA-01

SECTION: CA44

JUDGE: Alan Fine

CRYSTAL CRUISES LLC

Plaintiff(s)

vs.

MARK C HEALY

Defendant(s)

**ORDER GRANTING ASSIGNEE'S MOTION TO (1) APPROVE SETTLEMENT AND
RELEASE AGREEMENT WITH THE PENSION BENEFIT GUARANTY
CORPORATION, (2) PAY RELATED ADMINISTRATIVE EXPENSE CLAIM, AND (3)
AUTHORIZE THE ASSIGNEE TO EXECUTE AGREEMENT FOR TERMINATION OF
PENSION PLAN AND OTHER DOCUMENTS**

THIS MATTER came before the Court upon the *Assignee's Motion to (1) Approve Settlement and Release Agreement with the Pension Benefit Guaranty Corporation, (2) Pay Related Administrative Expense Claim, and (3) Authorize the Assignee to Execute Agreement for Termination of Pension Plan and Other Documents* (the "Motion") filed on January 12, 2023 by Mark C. Healy (the "Assignee"), solely in his capacity as the Assignee for the benefit of creditors of Crystal Cruises, LLC ("Crystal Cruises"), Crystal Holdings U.S., LLC ("Crystal Holdings"), and Crystal AirCruises, LLC ("Crystal AirCruises") (collectively, the "Assignors"). The Court, having reviewed the Motion and the record in this case, finding that notice of the Motion was properly served on interested parties as required by Fla. Stat. § 727.111(4), noting that no objection to the Motion was filed by any party, finding that the relief requested in the Motion is in the best interests of the estates of the Assignors (the "Assignment Estates"), and otherwise finding that good and sufficient cause exists for granting the relief set forth herein, does hereby

ORDER AND ADJUDGE that:

1. All terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.
2. The Motion is **GRANTED**.
3. The Settlement Agreement and all terms and conditions thereof are authorized and approved in all respects.
4. The PBGC Claims shall be allowed against the Crystal Cruises estate only as follows: (a) one administrative expense claim pursuant to Fla. Stat. § 727.114(b) in the amount of \$150,000.00 (the “Administrative Expense Claim”); and (b) one general unsecured claim pursuant to Fla. Stat. § 727.114(f) in the amount of \$3,000,000.00 (the “General Unsecured Claim”).
5. The PBGC Claims are deemed withdrawn as to the Crystal Holdings and Crystal AirCruises estates.
6. The Assignee is authorized to pay the Administrative Expense Claim within three business days after this order becomes final and non-appealable. The General Unsecured Claim shall be treated with all other general unsecured claims in the Crystal Cruises estate and paid in due course on a *pro rata* basis, if and when appropriate.
7. The Assignee is authorized to execute the Termination and Trusteeship Agreement, and the Assignee is authorized, empowered, and directed to execute any other documents he deems necessary to reasonably cooperate with the PBGC.
8. The Court shall retain jurisdiction to enforce this Order and the Agreement.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this 8th day of February, 2023.

2022-002742-CA-01 02-08-2023 9:51 AM
A. Alan Fine

2022-002742-CA-01 02-08-2023 9:51 AM

Hon. Alan Fine

CIRCUIT COURT JUDGE

Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

Electronically Served:

Albert J Vitto III, vitto@sl-law.com
Amber Donner, amber.donner@spectorrubin.com
Amber Donner, amber_donner@hotmail.com
Angela M. Swenka, Swenka@litchfieldcavo.com
Angela M. Swenka, hudson@litchfieldcavo.com
Ari Newman, newmanar@gtlaw.com
Ari Newman, perezan@gtlaw.com
Benjamin Katz, bkatz@fbtlaw.com
Benjamin Katz, awebb@fbtlaw.com
Benjamin Katz, adragoo@fbtlaw.com
Carol Finklehoffe, cfinklehoffe@lipcon.com
Carol Finklehoffe, smatus@lipcon.com
Carol Finklehoffe, mwinkleman@lipcon.com
Carol L. Finklehoffe, cfinklehoffe@lipcon.com
Carol L. Finklehoffe, smatus@lipcon.com
Carol L. Finklehoffe, ydelgado@lipcon.com
Christian Merida, christian@miamimaritimelaw.co
Dania Slim, dania.slim@pillsburylaw.com
Daniel Grammes, dgrammes@lipcon.com
Daniel Grammes, danielgrammes01@gmail.com
Daniel Grammes, jbarrera@lipcon.com
Daniel Robertson, robertson.daniel@pbgc.gov
Daniel Robertson, efile@pbgc.gov
Daniel Y Gielchinsky, dan@dgimlaw.com
Daniel Y Gielchinsky, eservice@dgimlaw.com
Daniel Y Gielchinsky, colleen@dgimlaw.com
Donald R Kirk, dkirk@carltonfields.com

Donald R Kirk, kathompson@carltonfields.com
Donald R Kirk, nmihara@carltonfields.com
Eric S Rein, rrein@hmbllaw.com
Eric S Rein, ecfnotices@hmbllaw.com
Eric S Rein, ahammer@hmbllaw.com
Gary I. Khutorsky, khutorsky@litchfieldcavo.com
Gary I. Khutorsky, hudson@litchfieldcavo.com
Gary M Freedman, gary.freedman@nelsonmullins.com
Gary M Freedman, sarah.castillo@nelsonmullins.com
Gary M Freedman, francis.santelices@nelsonmullins.com
Ilyse M. Homer, ihomer@bergersingerman.com
Ilyse M. Homer, asanchez@bergersingerman.com
Ilyse M. Homer, drt@bergersingerman.com
Isaac Marcushamer, isaac@dgimlaw.com
Isaac Marcushamer, isaac@dgimlaw.com
Isaac Marcushamer, isaac@dgimlaw.com
James N. Hurley, jhurley@fowler-white.com
James N. Hurley, vkhonsary@fowler-white.com
Jason Klein, jklein@bsklawyers.com
Jason Klein, rbalesjr@bsklawyers.com
Jason P. Stearns, jstearns@freeborn.com
Jason P. Stearns, ckitchell@freeborn.com
Jason P. Stearns, daigotti@freeborn.com
Jason Paul Stearns, jstearns@freeborn.com
Jason Paul Stearns, ckitchell@freeborn.com
Jonathan Groth, jonathan@dgimlaw.com
Jonathan Groth, colleen@dgimlaw.com
Jonathan Groth, eservice@dgimlaw.com
Jonathan Klein, jklein@mayerbrown.com
Jonathan Klein, jklein@jd16.law.harvard.edu
Jonathan Klein, WDC-DEPT-Docket@mayerbrown.com
Joseph Pack, joe@packlaw.com
Joseph Pack, jessey@packlaw.com
Joseph Pack, info@packlaw.com
Lance Kaufman, LKaufman@duanemorris.com
Lance Kaufman, mlchapski@duanemorris.com
Lara R Fernandez, lfernandez@trenam.com
Lara R Fernandez, mmosbach@trenam.com
Lara R Fernandez, mwoods@trenam.com
Leyza F. Blanco, lblanco@sequorlaw.com
Leyza F. Blanco, jdiaz@sequorlaw.com
Luis Alexander Perez, aperez@lipcon.com
Luis Alexander Perez, kcuellar@lipcon.com
Luis Alexander Perez, jbarrera@lipcon.com
Manuel Francisco Valdes, mvaldes@landandsealaw.net
Manuel Francisco Valdes, admin@miamimaritimelaw.co
Mark Raymond, mark.raymond@nelsonmullins.com

Mark Raymond, stacy.smith@nelsonmullins.com
Megan W Murray, mmurray@underwoodmurray.com
Megan W Murray, dstrand@underwoodmurray.com
Michael A. Nardella, mnardella@nardellalaw.com
Michael A. Nardella, pmascia@nardellalaw.com
Michael A. Nardella, kcooper@nardellalaw.com
Michael Baird, baird.michael@pbgc.gov
Michael Baird, baird.michael@pbgc.gov
Michael Baird, baird.michael@pbgc.gov
Michael D. Lessne, michael@lessne.law
Michael T Landen, mlanden@klugerkaplan.com
Michael T Landen, mmathis@klugerkaplan.com
Michelle Otero Valdes, mov@miamimaritimelaw.co
Michelle Otero Valdes, mov@miamimaritimelaw.co
Michelle Otero Valdes, admin@miamimaritimelaw.co
Mitchell W. Mandler, mmandler@smgqlaw.com
Mitchell W. Mandler, xmiranda@smgqlaw.com
Mitchell W. Mandler, rwilliams@smgqlaw.com
Morgan Benjamin Edelboim, morgan@elrolaw.com
Morgan Benjamin Edelboim, eservice@elrolaw.com
Morgan Benjamin Edelboim, tisha@elrolaw.com
Morgan Spector, spector@litchfieldcavo.com
Paul N Mascia, pmascia@nardellalaw.com
Paul N Mascia, kcooper@nardellalaw.com
Paul S Singerman, singerman@bergersingerman.com
Paul S Singerman, asanchez@bergersingerman.com
Paul S Singerman, DRT@bergersingerman.com
Paul S Singerman, singerman@bergersingerman.com
Paul S Singerman, mdiaz@bergersingerman.com
Paul S Singerman, efile@bergersingerman.com
Robert Menzies, robert.menzies@fisherbroyles.com
Robert Menzies, barbara.abel@fisherbroyles.com
Samuel Jason Capuano, scapuano@bergersingerman.com
Samuel Jason Capuano, efile@bergersingerman.com
Samuel Jason Capuano, fsellers@bergersingerman.com
Samuel Ludington, sam.ludington@nelsonmullins.com
Samuel Ludington, claudia.orozco@nelsonmullins.com
Spencer Wellborn, spencer.wellborn@spectorrubin.com
Spencer Wellborn, amber.donner@spectorrubin.com
Spencer Wellborn, andrea.samper@spectorrubin.com
Stephen Charles Breuer, stephen@breuer.law
Stephen Charles Breuer, genna@breuer.law
Thomas M. Messana, tmessana@underwoodmurray.com
Thomas M. Messana, tmessana@bellsouth.net
Thomas M. Messana, dstrand@underwoodmurray.com

Physically Served: