

**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: Lisa Walsh

CRYSTAL CRUISES LLC

Plaintiff(s)

vs.

MARK C HEALY

Defendant(s)

_____ /

**ORDER GRANTING ASSIGNEE'S MOTION FOR ENTRY OF AN ORDER APPROVING
PROCEDURES FOR OBJECTIONS TO CONSUMER AND EMPLOYEE CLAIMS [DOC.
221]**

THIS MATTER came before the Court for hearing on Monday, February 27, 2023 at 9:30 a.m. upon the *Assignee's Motion for Entry of an Order Approving Procedures for Objections to Consumer and Employee Claims* [Doc. 221] (the "Motion") filed on January 31, 2023 by Mark C. Healy (the "Assignee"), solely in his capacity as the Assignee for the benefit of creditors of Crystal Cruises, LLC, Crystal Holdings U.S., LLC, and Crystal AirCruises, LLC (collectively, the "Assignors"). The Court, having reviewed the Motion and the record in this case, finding that notice of the Motion and the hearing was sufficient, 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 Assignors' estates, and otherwise finding that good and sufficient cause exists for granting the relief set forth herein, does hereby

ORDER AND ADJUDGE that:

1. The Motion is **GRANTED**.
2. The Assignee is authorized to file omnibus objections to consumer and employee claims

addressing no more than 100 claims per omnibus objection, in a form substantially similar to the form Exhibit B attached to the Motion (an “Objection”). The Assignee is authorized to submit orders on such Objections, as appropriate, addressing no more than 100 claims per order.

3. The Assignee is authorized to serve Objections via email. If the Assignee does not have an email address for a claimant whose claim has been objected to, the Assignee is authorized to serve such claimant via U.S. Mail.

4. If a claimant disputes the Objection to their claim, within 21 days of service of the Objection, such claimant must contact the Assignee's office via email at crystalclaimsobj@moecker-crystal.com to attempt to resolve the dispute. If a claimant fails to contact the Assignee’s office within the required time period, the Assignee and the Court will presume that such claimant does not oppose the relief requested in the Objection, and the Assignee may submit an order to the Court sustaining the Objection as it relates to such claimant without any further notice or hearing. Upon entry, the Assignee is authorized to serve such order upon the subject claimant via email or, if the Assignee does not have an email address for the subject claimant, via U.S. Mail.

5. If a claimant contacts the Assignee within the required time period, and thereafter, the Assignee determines that the Assignee and the claimant are unable to resolve the dispute, the Assignee may file a Notice of Impasse with the Court identifying the unresolved claim. The Notice of Impasse is authorized to be served by the Assignee on the subject claimant via email or, if the Assignee does not have an email address for the subject claimant, via U.S. Mail.

6. Following the filing of a Notice of Impasse by the Assignee, the claimant must file with the Court a written response to the Objection within 21 days (a “Response”). If the claimant fails to file the Response with the Court within the required 21-day period, the Assignee and the Court will presume that such claimant does not oppose the relief requested in the Objection, and the Assignee

may submit an order to the Court sustaining the Objection as it relates to such claimant without any further notice or hearing. Upon entry, the Assignee is authorized to serve such order upon the subject claimant via email or, if the Assignee does not have an email address for the subject claimant, via U.S. Mail.

7. A Response must be timely filed with the Court and include: (a) a statement setting forth the particular Objection and claim(s) to which the Response is directed, including the claim number; (b) a concise statement setting forth the reasons why the Court should not grant the Objection with respect to such claim, including the factual and legal bases upon which the claimant relies in opposing the Objection; (c) a copy of any other documentation or other evidence of the claim, to the extent not already included with the claim, upon which the claimant will rely in opposing the Objection, provided that confidential, proprietary, or otherwise protected information should not be publicly filed with the Court, but the existence of such information should be disclosed to counsel for the Assignee; and (d) the name, address, telephone number, and email address of the responding claimant and/or the name, address, telephone number, and email address of the claimant's attorney or designated representative.

8. If a claimant files a Response within the required time period, the Assignee, in the Assignee's sole discretion, may set the matter for a preliminary non-evidentiary hearing. The Assignee may set multiple claims objections to be heard in a single preliminary non-evidentiary hearing.

9. The Assignee shall be permitted to file a reply to any Response no later than 2 calendar days before the preliminary non-evidentiary hearing with respect to the relevant Objection. No sur-reply shall be permitted absent prior Court approval.

10. If the matter is not resolved at the preliminary non-evidentiary hearing, the Assignee and the claimant shall make a further attempt to resolve the matter. Thereafter, if the matter remains

unresolved, the Assignee, in the Assignee's sole discretion, may set the matter for evidentiary hearing.

11. The Assignee may, in his sole discretion and in accordance with other orders of the Court, settle the validity, priority, amount, nature, or extent of contested claims without any further notice, order, or approval of the Court

12. If allowed, the first \$10,000 of an employee claim will be deemed a priority claim pursuant to Fla. Stat. § 727.114(d) without further notice, order, or approval of the Court, and the balance of any such claim will be deemed a general unsecured claim pursuant to Fla. Stat. § 727.114(f).

13. If allowed, the first \$2,225 of a consumer claim will be deemed a priority claim pursuant to Fla. Stat. § 727.114(e) without further notice, order, or approval of the Court, and the balance of any such claim will be deemed a general unsecured claim pursuant to Fla. Stat. § 727.114(f).

14. Nothing in this Order or in the Motion is, or shall be deemed to constitute, any admission as to the validity, priority, amount, nature, or extent of any claim asserted by any claimant, or as a waiver of any right of the Assignee to dispute the validity, priority, amount, nature, or extent of, or otherwise object to, either in the same or subsequent objections, any such claims.

15. The Assignee is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

16. The terms, conditions, and provisions of this Order shall be immediately effective and enforceable upon entry hereof.

17. The Court shall retain jurisdiction to resolve any dispute arising from or relating to

this Order.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this 28th day of February, 2023.

2022-002742-CA-01 02-28-2023 1:12 PM


2022-002742-CA-01 02-28-2023 1:12 PM

Hon. Lisa Walsh

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, rein@hmbllaw.com
Eric S Rein, ecfnotices@hmbllaw.com
Eric S Rein, ahammer@hmbllaw.com
Gary I. Khutorsky, gkhutorsky@hinshawlaw.com
Gary I. Khutorsky, DPhangSang@hinshawlaw.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 Bergmann Melamud, LKaufman@duanemorris.com
Lance Bergmann Melamud, 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
Matthew W Peaire, mpeaire@butler.legal
Matthew W Peaire, lalario@butler.legal
Matthew W Peaire, mgreen@butler.legal
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: