

IN THE CIRCUIT COURT OF THE 11TH  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

COMPLEX BUSINESS LITIGATION  
DIVISION

In re:

CRYSTAL CRUISES LLC, a California  
limited liability company,

Case No. 2022-002742-CA-01  
Lead Case

CRYSTAL HOLDINGS U.S., LLC, a  
Delaware limited liability company,

Case No. 2022-002757-CA-01

CRYSTAL AIRCRUISES, LLC, a Florida  
limited liability company, and

Case No. 2022-002758-CA-01

To: Assignors,

(Jointly Administered Cases)

MARK C. HEALY,

Assignee.

**MOTION FOR APPROVAL AND PAYMENT OF FEES AND REIMBURSEMENT OF  
EXPENSES INCURRED BY ASTREA CVBA AS SPECIAL COUNSEL TO THE  
ASSIGNEE FOR THE PERIOD OF JUNE 1, 2022 THROUGH JUNE 19, 2023**

**NOTICE OF OPPORTUNITY TO OBJECT  
TO CREDITORS AND OTHER INTERESTED PARTIES:**

**PLEASE TAKE NOTICE** that, pursuant to Fla Stat. § 727.111(4), the Assignee may pay the fees and expenses of professional persons employed by the Assignee as set forth herein, and the Court may consider these actions without further notice unless a party in interest files an objection within 21 days from the date this paper is served. If you object to the relief requested in this paper, you must file your objection with the Miami-Dade County Clerk of the Court at 73 W. Flagler Street, Room 133, Miami, FL 33130, and serve a copy on the Assignee's counsel, Michael A. Nardella, Esq. and Paul N. Mascia, Esq., Nardella & Nardella, PLLC, 135 W. Central Blvd., Ste. 300, Orlando, FL 32801, and any other appropriate person. If you do not file an objection within the time permitted, the Assignee and the Court will presume that you do not oppose the granting of the relief requested in the paper.

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”), pursuant to Florida Statutes §§ 727.102, 727.109(1), (10) and (15), and § 727.111(4), and the Court’s *Order Granting Assignee’s Motion for Entry of an Order: (1) Approving Noticing Procedures, (2) Approving Proof of Claim Forms; and (3) Extending Deadline to Serve Notice of Assignment* (the “Notice Procedures Order”) entered on March 3, 2022, files this motion (the “Motion”) for approval and payment of interim fees in the amount of €28.099,52 and reimbursement of expenses in the amount of €2.247,96 for a total award of €30.347,48 incurred by Astrea CVBA in connection with its representation of the Assignee during the period of June 1, 2022 through June 19, 2023 (the “Application Period”). In support of the Motion, the Assignee states:

1. On February 10, 2022, the Assignors executed and delivered, and the Assignee accepted, irrevocable assignments for the benefit of creditors to the Assignee (collectively, the “Assignments”). On February 11, 2022 (the “Petition Date”), a *Petition Commencing Assignment for the Benefit of Creditors* was filed by the Assignee for each of the Assignors, thereby commencing the following assignment for the benefit of creditors cases pursuant to Section 727 of the Florida Statutes, in this Court: *In re Crystal Cruises LLC*, Case No. 2022-002742-CA-01, *In re Crystal Holdings U.S. LLC*, Case No. 2022-002757-CA-01, and *In re Crystal Aircruises LLC*, Case No. 2022-002758-CA-01 (collectively, the “Assignment Cases”). On March 3, 2022, the Court entered orders in each of the Assignment Cases consolidating and jointly administering the Assignment Cases for procedural purposes.

2. Prior to the Petition Date, the Assignors were engaged in the travel and entertainment business, including operating ocean, river, and expedition cruises and conducting related activities around the world.

3. Pursuant to Florida Statute § 727.108(7), the Assignee retained Astrea CVBA as his special counsel to perform necessary legal services in connection with the Assignee's substitution in place of the Assignor, as party plaintiff in a claim of the Assignor that was pending before the Belgian maritime court at the time of the Assignment (the "Belgium Claim").

4. On May 16, 2022, the Court entered an order approving the employment of Astrea CVBA as special counsel to the Assignee.

5. During the Application Period Astrea CVBA, as special counsel to the Assignee, has continued its prosecution of the Belgium Claim, which matter remains pending in the Belgium Maritime Court.

6. As of June 30, 2023, the cash balance in the estates is \$35,268,740.39 (the "Estate Funds").

7. During the Application Period Astrea CVBA has incurred fees in the amount of €28,099.52 for legal services provided to the Assignee during the Application Period and expenses in the amount of €2,247,96 in the nature of office expenses. Applicant's invoices are attached hereto as **Exhibit "A"**.

8. The Assignee respectfully requests that the Court approve this Motion and allow Astrea CVBA an interim award of fees in the amount of €28,099.52, and reimbursement of expenses in the amount of €2,247,96, for a total of €30,347,48 for the period of June 1, 2022 through June 19, 2023, with proper adjustment for the pending foreign exchange rate upon payment.

**WHEREFORE**, the Assignee respectfully requests that this Court enter an Order, in the form attached hereto as **Exhibit “B”**, (i) granting the Motion; (ii) approving the Assignee’s request for €28,099.52 in compensation for services rendered by Astrea CVBA, and reimbursement of expenses incurred by Astrea CVBA in the amount of €2.247,96, for a total award of €30.347,48, (iii) authorizing the Assignee to pay Astrea CVBA €30.347,48, with proper adjustment for the pending foreign exchange rate; and (iv) granting such other and further relief as the Court deems just and proper.

Dated: July 31, 2023

NARDELLA & NARDELLA, PLLC  
*Co-General Counsel for Assignee*  
135 W. Central Blvd., Ste. 300  
Orlando, FL 32801  
(407) 966-2680

By: /s/ Paul N. Mascia  
Michael A. Nardella, Esq.  
Florida Bar No. 051265  
Paul N. Mascia, Esq.  
Florida Bar No. 0489670  
[mnardella@nardellalaw.com](mailto:mnardella@nardellalaw.com)  
[pmascia@nardellalaw.com](mailto:pmascia@nardellalaw.com)

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** a true and correct copy of the foregoing was served via the Florida Court’s e-Filing Portal on July 31, 2023 to all parties that have entered an appearance in this case; via email to [cbl44@jud11.flcourts.org](mailto:cbl44@jud11.flcourts.org) pursuant to CBL Rule 2.2; and via e-mail to all creditors and interested parties on the e-mail service list pursuant to the Notice Procedures Order.

By: /s/ Paul N. Mascia  
Paul N. Mascia

**EXHIBIT A**  
**(Invoices)**

**Mr. Mark C. HEALY**  
**In his capacity of assignee for the Benefit of Crystal Cruises LLC**

**Michael Moecker & Associates Inc.**  
**De Heer Mr. Paul Mascia**  
**1883 Marina Mile Blvd., Suite 106**  
**FL 33315 Fort Lauderdale - Florida**  
**United States of America**

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B-1050 BRUSSEL/  
BRUXELLES  
T +32 2 215 97 58  
F +32 2 216 50 91

BY MAIL: pmascia@nardellalaw.com

Sent on 16th of January 2023

Our reference : 18-01045-CMM\MVL\MVL-  
Your reference : -  
Invoice n° : 2275175  
Invoice date : 31/12/2022

**RE : MV. CRYSTAL BACH / LA MATTANZA (COLLISION)**

Statement of professional charges rendered up to 31/12/2022:

	Excl VAT	VAT	Total
Fees	€ 23.059,11	€ 0,00	€ 23.059,11
Office expenses	€ 1.844,73	€ 0,00	€ 1.844,73
	€ 24.903,84	€ 0,00	<b>€ 24.903,84</b>

**You only have to pay 84,50 % of this invoice (In this case 21.043,74 €).**

VAT 0 %  
VAT exempt - article 44 Directive 2006/112/EC

May we kindly ask you to transfer the above amount into our account with number  
**IBAN: BE25 3630 0755 0882 - BIC: BBRUBEBB mentioning the following reference: +++202/4275/17523+++**

**Our invoices are payable within 7 days after receipt.**

VATnumber: 0885.184.584

Our general terms and conditions are available on [www.astrealaw.be](http://www.astrealaw.be). A hard copy will be sent to you (free of charge) upon request. For any further information you may require, please feel free to contact us via [accounting@astrealaw.be](mailto:accounting@astrealaw.be).  
Correspondence address: Antwerpen

ASTREA CV

ADVOCATEN/  
AVOCATS/  
ATTORNEYS-AT-LAW

WWW.ASTREALAW.BE  
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RPR ANTWERPEN: 0885.184.584

**FEES**

<b>Date</b>	<b>Comment</b>
13/06/2022	Check last correspondence from court surveyor
14/06/2022	Mail to court surveyor re further developments
16/06/2022	Email to Nautical surveyor re upcoming meeting
16/06/2022	Mail to court surveyor
16/06/2022	First analysis of survey report; draft e-mail to clients
20/06/2022	Update to Ulrich Krämer re court survey
07/07/2022	Reading report; instructions re translation
03/08/2022	Follow-up correspondence
18/08/2022	Follow-up
02/09/2022	Status re immaterial damage
02/09/2022	Status of matter; e-mail to Ulrich Kremer and Henning Fechner
02/09/2022	Internal instructions
02/09/2022	Translation and Revision
05/09/2022	Markup and translation
05/09/2022	Internal review
05/09/2022	Correspondence Paul Mascia
05/09/2022	Correspondence court surveyor
05/09/2022	Review of report on immaterial damage figures
06/09/2022	Internal instruction re immaterial damage
06/09/2022	E-mail to clients
06/09/2022	Drafting questions for client
06/09/2022	Analysis of report regarding immaterial damage + translation; draft e-mail to Paul Mascia
07/09/2022	Revision questions client
07/09/2022	Revision questions client
07/09/2022	Correspondence
09/09/2022	Telephone call and e-mail to court surveyor
09/09/2022	E-mail to Ulrich Kraemer and Henning Fechner
09/09/2022	Correspondence
12/09/2022	Correspondence
12/09/2022	E-mail court surveyor
15/09/2022	E-mail to clients re Nautical Commission meeting
05/10/2022	E-mail to Paul Mascia
05/10/2022	Follow up re settlement talks and internal division
05/10/2022	Follow-up correspondence
06/10/2022	E-mail to Paul Mascia
06/10/2022	Follow-up correspondence
06/10/2022	Follow-up
10/10/2022	Mail to colleague
12/10/2022	Internal discussion; preparation call and conference call with Paul Mascia
12/10/2022	Internal instructions to Gorik Orbie
13/10/2022	Research into quantum
14/10/2022	First analysis division of liability
14/10/2022	Additional analysis of division of liability
17/10/2022	Drafting assessment on division of liability
17/10/2022	Additional analysis of the division of liability
19/10/2022	Internal discussion and preparation of memo with Gorik
19/10/2022	Analysis on the division of liability
20/10/2022	Analysis the case, looking for indications on a possible division of liability
20/10/2022	Analysis of the dispute and finalisation of the liability review
21/10/2022	Draft email clients
22/10/2022	Adjustments to memo to Assignee regarding recovery perspectives
24/10/2022	Intergration of comments RDH + finalisation and lay-out
24/10/2022	Final adjustments
24/10/2022	Internal discussion
24/10/2022	Adjustments to memo
24/10/2022	Implementation of final remarks of RDH
25/10/2022	E-mail to Mr. Fechner
25/10/2022	First screening recent correspondence
26/10/2022	Review memo on liability; preparation meeting court surveyor
26/10/2022	Mail to client
26/10/2022	Preparation meeting; meeting Naucom
26/10/2022	Meeting at the Nautical Commission



26/10/2022 Meeting with the Nautical Commission  
 27/10/2022 Internal instructions  
 27/10/2022 Gathering exhibits on the calculation of damage La Mattanza and internal discussion with RDH  
 27/10/2022 Mail to client: update to Paul and Ulrich after court surveyor's meeting  
 03/11/2022 Review exhibits re damage La Mattanza  
 03/11/2022 Mail to court surveyor re upcoming meeting  
 03/11/2022 Email to Ulrich Krämer  
 03/11/2022 Research for the meeting with court surveyor, regarding material damage crystal bach and discussion regarding payment of the court surveyor  
 03/11/2022 Internal update regarding meeting with court surveyor  
 09/11/2022 Ontwerp e-mail dhr. Fechner  
 09/11/2022 Mail to client  
 09/11/2022 Mail to client  
 10/11/2022 Internal meeting; preparation of survey meeting; telcon Mr. Fechner  
 10/11/2022 Preparation court survey meeting  
 10/11/2022 Meeting Naucom; telcons opponent and Mr Fechner  
 10/11/2022 Mail to colleague  
 10/11/2022 Mail to colleague  
 10/11/2022 Mail to colleague  
 10/11/2022 Mail to colleague  
 15/11/2022 Internal instructions  
 15/11/2022 E-mail to Mr. Fechner  
 16/11/2022 E-mail to court surveyor  
 16/11/2022 E-mail to Henning Fechner  
 16/11/2022 Preparation meeting 17/11  
 16/11/2022 Analysis of past communication to look for indications on agreements on the amount of damage  
 17/11/2022 Meeting with Ulrich Krämer and Henning Fechner  
 17/11/2022 Preparation conf call  
 17/11/2022 Conf call with Mr Fechner and Ulrich Krämer in view of upcoming court survey meeting  
 22/11/2022 Internal instruction re immaterial damage  
 22/11/2022 Meeting of Nautical commission (Material damage Crystal Bach and La Mattanza)  
 22/11/2022 Update clients on recent developments  
 22/11/2022 Correspondence re immaterial damage  
 22/11/2022 Draft update paul mascia  
 22/11/2022 Preparation meeting court surveyor  
 22/11/2022 Meeting court surveyor re quantum of damage onboard of Crystal Bah  
 22/11/2022 Review email to Paul Mascia re remarks to immaterial damage  
 23/11/2022 Follow-up emails with NauCom re timing for remarks; emails to all  
 25/11/2022 Reading through submissions of la mattanza, making summary of their remarks and go compare with report of court surveyor  
 29/11/2022 First thorough analysis of submissions by La Mattanza and draft of update for clients  
 30/11/2022 Draft update for Mr. Fechner and Mr. Krämer regarding settlement talks  
 04/12/2022 Review and adjustments e-mail to Assignee; follow-up remarks La Mattanza on immaterial damage; internal instructions  
 05/12/2022 Email to opponent re out of court proposal  
 05/12/2022 Follow up settlement offer La Mattanza  
 05/12/2022 Drafting email - incorporation comments RDH  
 05/12/2022 Correspondence  
 06/12/2022 Mail to colleague re physical damage to Ms La Mattanza; internal email  
 06/12/2022 Research into calculation laytime damage of "La Mattanza"  
 06/12/2022 Review translation comments La Mattanza re material damage; internal instructions  
 06/12/2022 Mark up translation of remarks La Mattanza and draft of email to clients  
 06/12/2022 Internal instructions and discussion re immaterial damage La Mattanza  
 06/12/2022 Update RDH  
 06/12/2022 Drafting remarks for court surveyor  
 06/12/2022 Adjustments e-mail to clients ((im)material damage to La Mattanza)  
 06/12/2022 Review translation immaterial damage claim  
 06/12/2022 Correspondence  
 06/12/2022 Review of remarks following comments by La Mattanza on immaterial damage Crystal Cruises  
 07/12/2022 Correspondence  
 07/12/2022 Finishing first draft of remarks for the court surveyor regarding the immaterial damage  
 15/12/2022 Updating comments to the courts surveyor regarding immaterial damage  
 15/12/2022 Internal discussion regarding immaterial damage figures  
 16/12/2022 Internal instructions  
 16/12/2022 Remarks re immaterial damage  
 19/12/2022 Research re vouchers, adjustments to letter  
 20/12/2022 Remarks immaterial damage; provisional amount for administration costs



21/12/2022	Remarks to report on immaterial damage (contd)
21/12/2022	Follow up indexation costs
22/12/2022	Research into caselaw to strengthen submission to the court surveyor
23/12/2022	Email to Nautical Surveyor
23/12/2022	Additional research submission for the court surveyor

**Mr. Mark C. HEALY**

**In his capacity of assignee for the Benefit of Crystal Cruises LLC**

**Michael Moecker & Associates Inc.  
De Heer Mr. Paul Mascia  
1883 Marina Mile Blvd., Suite 106  
FL 33315 Fort Lauderdale - Florida  
United States of America**

BY MAIL: pmascia@nardellalaw.com

Sent on 19th of June 2023

Our reference : 18-01045-CMM\MVL\MVL-  
Your reference : -  
Invoice n° : 2372080  
Invoice date : 19/06/2023

**RE : MV. CRYSTAL BACH / LA MATTANZA (COLLISION)**

Statement of professional charges rendered up to 19/06/2023:

	<b>Excl VAT</b>	<b>VAT</b>	<b>Total</b>
Fees	€ 5.040,41	€ 0,00	€ 5.040,41
Office expenses	€ 403,23	€ 0,00	€ 403,23
	€ 5.443,64	€ 0,00	<b>€ 5.443,64</b>

**You only have to pay 84,50 % of this invoice (In this case 4.599,88€).**

VAT 0 %  
VAT exempt - article 44 Directive 2006/112/EC

May we kindly ask you to transfer the above amount into our account with number  
**IBAN: BE25 3630 0755 0882 - BIC: BBRUBEBB mentioning the following  
reference: +++202/5372/08052+++**

**Our invoices are payable within 7 days after receipt.**

VATnumber: 0885.184.584

Our general terms and conditions are available on [www.astrealaw.be](http://www.astrealaw.be). A hard copy will be sent to you (free of charge) upon request. For any further information you may require, please feel free to contact us via [accounting@astrealaw.be](mailto:accounting@astrealaw.be).  
Correspondence address: Antwerpen

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**FEES**


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<b>Date</b>	<b>Comment</b>
13/01/2023	Internal instructions re immaterial damage
19/01/2023	Update submissions on the capitalisation of interests
20/01/2023	Follow-up remarks immaterial damage
25/01/2023	Follow-up re adjustments of La Mattanza's counter claim
26/01/2023	Update costs of La Mattanza
26/01/2023	Review correspondence
26/01/2023	Update calculation damages La Mattanza
27/01/2023	Status of matter and check of motion of approval; update to Paul Mascia
30/01/2023	Update submissions on the interests
30/01/2023	Markup translation comments to the court surveyor
31/01/2023	Review office translation immaterial damage comments
07/02/2023	Reminders correspondence
07/02/2023	Conversation on the capitalisation of the interests
07/02/2023	Capitalisation submissions (review)
09/02/2023	Follow up calculations damage la mattanza
10/02/2023	Draft e-mail to Paul Mascia
10/02/2023	Follow up negotiations material damage
16/02/2023	Email to Paul
17/02/2023	Correspondence with court surveyor
14/03/2023	Follow-up correspondence counsel of La Mattanza
17/03/2023	Follow-up additional report by court surveyor
02/05/2023	E-mail to Paul Mascia
02/05/2023	Preparation update to clients
03/05/2023	Translation comments court surveyor
03/05/2023	Draft e-mail to clients
03/05/2023	Review translation; e-mail to Paul Mascia
05/05/2023	Preparation on the possibilities to settle, adjustment of claimed amounts and internal discussion
05/05/2023	Internal instructions Gorik Orbie
07/05/2023	Follow-up re liability estimates; review draft e-mail to Paul Mascia
08/05/2023	Re calculate claims of La Mattanza
11/05/2023	Internal instructions
15/05/2023	Follow up on settlement possibilities
06/06/2023	Analysis of Court surveyor report and La Mattanza claim of the material damage of La Mattanza
07/06/2023	Discussion outstanding issues with Marc Van Looveren
07/06/2023	Follow up e-mail on division liability
07/06/2023	Update client on division of liability
08/06/2023	Follow up claim "La Mattanza" vs. claim "Crystal Bach"
09/06/2023	Follow-up reports of Nautical Commission and correspondence
09/06/2023	Analysis correspondence court surveyor in the light of survey report on material damage + analysis survey report on material damage
09/06/2023	Draft e-mail to Nautical Commission
12/06/2023	Analysis of relevant correspondence in light of court survey
12/06/2023	Screening report of material damage by Nautical Commission
12/06/2023	Review final report material damage La Mattanza and report re Crystal Bach; check emails
13/06/2023	Status of matter; draft e-mail to Paul Mascia



**EXHIBIT B**  
**(Proposed Order)**

IN THE CIRCUIT COURT OF THE 11TH  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

In re:

COMPLEX BUSINESS LITIGATION  
DIVISION

CRYSTAL CRUISES LLC, a California  
limited liability company,

Case No. 2022-002742-CA-01  
Lead Case

CRYSTAL HOLDINGS U.S., LLC, a  
Delaware limited liability company,

Case No. 2022-002757-CA-01

CRYSTAL AIRCRUISES, LLC, a Florida  
limited liability company, and

Case No. 2022-002758-CA-01

Assignors,  
To:

(Jointly Administered Cases)

MARK C. HEALY,

Assignee.

\_\_\_\_\_ /

**ORDER GRANTING MOTION FOR APPROVAL AND PAYMENT  
OF FEES AND REIMBURSEMENT OF EXPENSES INCURRED  
BY ASTREA CVBA AS SPECIAL COUNSEL TO THE ASSIGNEE  
FOR THE PERIOD OF JUNE 1, 2022 THROUGH JUNE 19, 2023**

**THIS CAUSE** came before the Court upon the *Motion for Approval and Payment of Fees and Reimbursement of Expenses Incurred by Astrea CVBA as Special Counsel to the Assignee for the Period of June 1, 2022 through June 19, 2023* (the “Motion”), filed on negative notice 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”), pursuant to which Astrea CVBA seeks compensation in the amount of €28.099,52 and reimbursement of expenses in the amount of €2.247,96, for a total award of €30.347,48, for the period of June 1, 2022 through June 19, 2023, with proper adjustment for the pending foreign exchange rate. The Court, having considered the Motion and the record in this proceeding, noting

that no objections to the Motion have been filed, finding that notice of the Motion was sufficient, and good cause appearing, it is hereby

**ORDERED** that:

1. The Motion is hereby **GRANTED**.
2. Astrea CVBA, as special counsel to the Assignee, is awarded fees in the amount of €28.099,52 and expenses in the amount of €2.247,96, for a total award of €30.347,48, which represents 100% of the fees and expenses requested in the Motion.
3. The Assignee is authorized to pay to Astrea CVBA the sum of €30.347,48, which is the balance owed, with proper adjustment for the pending foreign exchange rate.
4. In making the foregoing award, the Court finds that the amounts awarded represent reasonable compensation for actual and necessary services rendered and expenses incurred by Astrea CVBA for the benefit of the assignment estate.

**DONE AND ORDERED** in Chambers, at Miami-Dade County, Florida on this \_\_\_ day of \_\_\_\_\_, 2023.

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HONORABLE LISA WALSH  
Circuit Court Judge

Copies furnished to:

Counsel of record