

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,

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

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

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

Case No. 2022-002757-CA-01

Case No. 2022-002758-CA-01

Assignors,
To:

(Jointly Administered Cases)

MARK C. HEALY,

Assignee.

**MOTION FOR APPROVAL AND PAYMENT OF FEES INCURRED
BY KENNEDYS CHUDLEIGH LTD. AS BERMUDA COUNSEL TO THE
ASSIGNEE FOR THE PERIOD OF JANUARY 1, 2023 THROUGH JUNE 30, 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 or hearing 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, Paul Steven Singerman, Esq. and Samuel Jason Capuano, Esq., Berger Singerman LLP, 1450 Brickell Avenue, Suite 1900, Miami, FL 33131, 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 fees in the amount of \$862.50 incurred by Kennedys Chudleigh Ltd. (“Kennedys”) in connection with its representation of the Assignee during the period of January 1, 2023 through June 30, 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 Kennedys as Bermuda counsel to perform necessary legal services in connection with the pending related insolvency proceeding in Bermuda entitled *In the Matter of Genting Hong Kong Limited (Joint Personal Liquidators)*; Supreme Court of Bermuda, Civil Jurisdiction No. 11 of 2022 (the “Bermuda Proceedings”). Genting Hong Kong Limited is the indirect parent company of the Assignors.

4. On March 30, 2022, the Court entered an order approving the employment of Kennedys as Bermuda counsel to the Assignee.

5. During the Application Period, Kennedys provided counsel to the Assignee in connection with the pending Genting Hong Kong Limited (“Genting”) insolvency proceeding in Bermuda by monitoring and reporting public advertisements relating to the winding up of subsidiaries of Genting.

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

7. Kennedys, as Bermuda counsel to the Assignee, has incurred fees in the amount of \$862.50 for legal services provided to the Assignee during the Application Period as identified in Kennedys’ invoices are attached hereto as **Exhibit “A”**.

8. The Assignee respectfully requests that the Court approve this Motion and allow Kennedys an award of fees in the amount of \$862.50 for the period of January 1, 2023 through June 30, 2023.

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 \$862.50 in compensation for services rendered by Kennedys, (iii) authorizing the Assignee to

pay Kennedys \$862.50; and (iv) granting such other and further relief as the Court deems just and proper.

Dated: July 31, 2023

BERGER SINGERMAN LLP
Co-Counsel for Assignee
1450 Brickell Avenue, Suite 1900
Miami, FL 33131
Telephone: (305) 755-9500
Facsimile: (305) 714-4340

By: /s/ Samuel J. Capuano
Paul Steven Singerman
Florida Bar No. 378860
singerman@bergersingerman.com
Samuel J. Capuano
Florida Bar No. 90946
scapuano@bergersingerman.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; on counsel for the Assignors, Adam Losey, Esq., Losey PLLC, 1420 Edgewater Drive, Orlando, FL 32804, via email to alosey@losey.law; via email to 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/ Samuel J. Capuano
Samuel J. Capuano

EXHIBIT A
(Invoices)

Kennedys

20 Brunswick Street
Hamilton,
HM 10 Bermuda
T +1 441 296 9276
F +1 441 296 9277
www.kennedyslaw.com

Invoice Date : 12/04/2023

Invoice Number : 31-23-0000097/1/BMMAR108

Client Ref : GENTING/MARK HEALY/CRYSTAL

Our Ref : BMM114/1074578/NNM

MARK CHARLES HEALY, IN HIS CAPACITY AS ASSIGNEE
FOR THE BENEFIT OF CREDITORS OF CRYSTAL CRUISES
LLC, ET AL.

C/O BERGER SINGERMANN LLP
1450 BRICKELL AVENUE, SUITE 1900

MIAMI
33131

For the Attention of : SAMUEL CAPUANO
RE : IN THE MATTER OF GENTING HONG KONG LIMITED (JOINT PROVISIONAL LIQUIDATORS
APPOINTED)(FOR RESTRUCTURING PURPOSES ONLY)
Note : INTERIM ACCOUNT: 24/01/23 to 30/01/23

Item	Value of Services	USD
Professional Charges		862.50
Total		862.50

Your Proportion = 100.00%

862.50

With Compliments

Kennedys Chudleigh Ltd

REMITTANCE SLIP

If paying by bank transfer please quote the Invoice Number below and remit to:-

Bank: HSBC Bermuda
6 Front Street, Hamilton, HM11 Bermuda
Account Name: Kennedys Chudleigh Ltd
Account Number: [REDACTED]

Swift Code: [REDACTED]

If paying by cheque please return the slip below with your remittance to Kennedys Chudleigh Ltd, P.O Box HM 2945, Hamilton HM-MX, Bermuda.

Our Ref : BMM114/1074578/NNM

Invoice No: 31-23-0000097/1/BMMAR108

Amount Payable USD 862.50

FROM: MARK CHARLES HEALY, IN HIS CAPACITY AS ASSIGNEE FOR THE BENEFIT OF CREDITORS OF CRYSTAL CRUISES LLC, ET AL.

FILE NUMBER: 1074578

Kennedys

Invoice Number : 31-23-0000097/1/BMMAR108

Kennedys' Reference: : BMM114/1074578/NNM

Date: 12/04/2023

USD

Professional Charges

862.50

Total

862.50

PROFESSIONAL CHARGES - TIMEKEEPER SUMMARY

Timekeeper	Time	Rate	Included Value	Write Off Value	Total Fees
ERIK PENZ	00:06	0.00	0.00	0.00	0.00
ERIK PENZ	01:30	575.00	862.50	0.00	862.50
Total					<u>862.50</u>

Although this invoice may include time value for attorneys and other fee-earners affiliated with Kennedys Chudleigh Ltd.'s associated law firms, including Kennedys Law LLP, such fee-earners are not employees or consultants of Kennedys Chudleigh Ltd. and are not practising Bermuda law unless admitted to the Bermuda Bar or registered as an associate under the Bermuda Bar Act 1974 and in compliance with all applicable Bermuda laws and regulations. Kennedys Chudleigh Ltd. is a limited liability company incorporated in Bermuda and approved and recognised under the Bermuda Bar (Professional Companies) Rules 2009. "Partner" is a title referring to a director or an employee of the company. A list of such persons can be obtained upon request. Associated with Kennedys Law LLP www.kennedyslaw.com.

Kennedys

Invoice Number : 31-23-0000097/1/BMMAR108

Kennedys' Reference: : BMM114/1074578/NNM

Timekeeper	Date	Time	Time Cost	Time Not Charged	Time Billed	Activity
EP3	24-Jan-23	00:06	57.50	0.00	57.50	EMAIL OUT
EP3	24-Jan-23	01:18	747.50	0.00	747.50	REVIEWING FILE ANALYSE CONSIDER
EP3	25-Jan-23	00:06	57.50	0.00	57.50	REVIEWING FILE ANALYSE CONSIDER
EP3	30-Jan-23	00:06	0.00	0.00	0.00	NON CHARGEABLE RESEARCH

ERIK PENZ	01:36	862.50	0.00	862.50
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SUB TOTAL	01:36	862.50	0.00	862.50
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Kennedys

Invoice Number : 31-23-0000097/1/BMMAR108

Kennedys' Reference: : BMM114/1074578/NNM

Billing Narrative

Timekeeper	Date	Notes/Activity	Time	Value
EP3	24-Jan-23	Emails from and to S. Capuano and to N. Miles re monitoring upcoming creditors' meeting(s) of Genting affiliates.	00 Hours 06 Minutes	57.50
EP3	24-Jan-23	Emails from and to N. Miles re advertisements in The Royal Gazette of creditors' voluntary liquidations for Genting-related entities Crown Odyssey Limited, Crystal Luxury Corporation Limited, Genting Dream Limited, Ocean Dream Limited, Ocean Voyageur Limited, Ocean World Limited, Superstar Aquarius Limited, Superstar Libra Limited. Review same and consideration of creditors' meetings, appointment if JPLs, basis for liquidations. Email to S. Capuano re same and enclosing notices. Email from S. Capuano that he will query M. Healy in respect of the same.	01 Hours 18 Minutes	747.50
EP3	25-Jan-23	Emails from N. Miles and S. Capuano re creditors meetings for Genting-related entities and other possible Genting-related liquidations.	00 Hours 06 Minutes	57.50
EP3	30-Jan-23	Attendance on members' voluntary winding-up of Bulk Nordic Odyssey Ltd and Bulk Nordic Orion Ltd.	00 Hours 06 Minutes	0.00
Total Time for Fee Earner - EP3			01 Hours 36 Minutes	862.50

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 INCURRED BY KENNEDYS CHUDLEIGH LTD.
AS BERMUDA COUNSEL TO THE ASSIGNEE FOR THE PERIOD
JANUARY 1, 2023 THROUGH JUNE 30, 2023**

THIS CAUSE came before the Court upon the *Motion for Approval and Payment of Fees Incurred by Kennedys Chudleigh Ltd. as Bermuda Counsel to the Assignee for the Period January 1, 2023 through June 30, 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 Kennedys Chudleigh Ltd. seeks compensation in the amount of \$862.50 for the period of January 1, 2023 through June 30, 2023. The Court, having considered the Motion and the record in this proceeding, noting that no objection to the Motion was filed by any party, finding that notice of the Motion and the hearing was sufficient, and good cause appearing, it is hereby

ORDERED that:

1. The Motion is **GRANTED**.
2. Kennedys Chudleigh Ltd., as Bermuda counsel to the Assignee, is awarded fees in the amount of \$862.50, which represents 100% of the fees requested in the Motion.
3. The Assignee is authorized to pay to Kennedys Chudleigh Ltd. the sum of \$862.50.
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 Kennedys Chudleigh Ltd. for the benefit of the assignment estate.

DONE AND ORDERED in Chambers, at Miami-Dade County, Florida on this ___ day of _____, 2023.

HONORABLE LISA S. WALSH
Circuit Court Judge

Copies furnished to:

Counsel of record