

**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 APPROVING (I) SETTLEMENT WITH FORMER OFFICERS AND
DIRECTORS; AND (II) PAYMENT OF CONTINGENCY FEE TO BAST AMRON LLP
FROM SETTLEMENT PAYMENT**

(Docket Entry #438)

THIS MATTER came before the Court for hearing on Wednesday, September 27, 2023 at 9:00 a.m., upon the Assignee Mark C. Healy's (the "Assignee") *Motion (i) to Approve Settlement with Former Officers and Directors; and (ii) for Payment of Contingency Fee to Bast Amron from Settlement Payment* (the "Motion").^{[1],[2]}

The Court has reviewed the Motion and the Agreement, has considered the entire record in this case, and notes that no objections were filed to the Motion. The Court finds that notice of the Motion is sufficient.

The Court further finds that the settlement and compromise contained in the Agreement is (i) fair and reasonable, (ii) falls within the reasonable range of possible litigation outcomes, and (iii) in the best interest of the Assignors' estates and their creditors. Based on the foregoing, it is

ORDERED:

1. The Motion is **GRANTED**. The settlement and compromise contained in the

Agreement is approved in all respects.

2. The terms of the Agreement are approved and incorporated herein in their entirety. The Assignee is further authorized to take any action necessary to effectuate the terms of the Agreement.

3. Pursuant to the terms of the Agreement, the Ds&Os shall cause the Primary Insurer and First Excess Insurers to pay the aggregate sum of fifteen million five hundred thousand United States dollars (\$15,500,000.00 USD) to the Assignee (the “Settlement Payment”) within thirty (30) days of the later of: (i) the date the Settlement Approval Order becomes a Final Order; and (ii) the date the Assignee or his counsel provides the Named Ds&Os or their counsel with instructions for payment, together with a completed IRS form W-9. The Settlement Payment shall be made in United States dollars by wire transfer in accordance with the instructions for payment to be provided by the Assignee or his counsel.

4. The Court approves payment of the contingency fee of \$4,650,000.00 to Bast Amron LLP (“Bast Amron”) and the Assignee is authorized to make such payment from the Settlement Payment. The Assignee is further authorized to pay Bast Amron \$16,351.27 for out of pocket expenses incurred to date, plus any additional expenses that may arise hereafter.

5. The Court reserves jurisdiction regarding the interpretation, effectuation, and enforcement of the terms of the Agreement and this Order.

^[1] Unless otherwise stated herein, capitalized terms shall have the same meaning as provided in the Settlement Agreement and Release attached to the Motion as **Exhibit 1** (the “Agreement”).

^[2] This Order is intended to memorialize the Agreement, and to the extent there are any unintended discrepancies, the terms of the Agreement shall control.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this 4th day of October, 2023.

2022-00742-CA-01 10-04-2023 2:40 PM

2022-00742-CA-01 10-04-2023 2:40 PM

Hon. Lisa Walsh

CIRCUIT COURT JUDGE

Electronically Signed

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

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

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