

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.

ASSIGNEE'S OBJECTION TO CLAIM OF VILLAGE TRAVEL

NOTICE OF OPPORTUNITY TO OBJECT AND REQUEST FOR HEARING

PLEASE TAKE NOTICE that, Pursuant to section 727.111(4), Florida Statutes, the assignee may disallow improper claims of creditors, 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 Clerk of the Court of Miami-Dade County at 73 W. Flagler Street, Room 133, Miami, FL 33130, and serve a copy on the assignee's attorney, Paul N. Mascia, Esq., Nardella & Nardella, PLLC, 135 W. Central Blvd., Ste. 300, Orlando, FL 32801, and any other appropriate person.

If you file and serve an objection within the time permitted, the Court shall schedule a hearing and notify you of the scheduled hearing.

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.

COMES NOW, Mark C. Healy, Assignee in the above-captioned Assignment proceeding (the "Assignee"), pursuant to Section 727.113 and 727.109(4), Fla. Stat. (2023), files this Objection to the Claim of Village Travel with claim number 3016 ("Village Travel" or "Claimant"), and asserts as follows:

BACKGROUND

1. On February 10, 2022 (the "Petition Date"), Crystal Cruises, LLC (the "Assignor") executed and delivered, and the Assignee accepted, an irrevocable Assignment for the benefit of creditors to the Assignee (the "Assignment"). On February 11, 2022, a *Petition Commencing Assignment for the Benefit of Creditors* was filed by the Assignee for the Assignor, thereby commencing the following assignment for the benefit of creditors case pursuant to Chapter 727 of the Florida Statutes, in this Court: *In re Crystal Cruises LLC*, Case No. 2022-002742-CA-01 (the "Assignment Case").

2. Prior to the Assignment, Assignor engaged in the business of travel and entertainment business, including operating ocean, river, and expedition cruises and conducting related activities around the world (the "Business").

3. The Assignee's address and telephone number are c/o Paul N. Mascia, Esq., Nardella & Nardella, PLLC, 135 W. Central Boulevard, Orlando, Florida 32801 and (407) 966-2680.

4. This Honorable Court has the power to allow or disallow claims against the estate and determine their priority. *See* § 727.109(4), Fla. Stat. (2023).

OBJECTION TO CLAIM

5. Village Travel delivered Claim No. 3016 with the claim amount of U.S. Dollars \$2,065.06 (the "Claim") to the Assignee on or about April 28, 2022, a true and correct copy of which Claim is attached hereto as **Exhibit "A"**.

6. Assignee reviewed the Claim and the documentation provided by the Claimant.

7. As indicated in the materials submitted with the Claim, the basis for the Claim is "commissions" allegedly owed by the Assignor to the Claimant for booking a cruise for customers Peter Stein and Frances Davie on reservation number 2278016.

8. The Assignee reviewed the Assignor's records related to reservation number 2278016. The records show that as of the Petition Date there was an outstanding balance of \$2,860 owed by the customers for taxes, fees and port charges on the cruise booking.

9. Because the customers did not fully pay for the cruise, the Claimant did not earn the claimed commissions of \$2,065.06 and the Assignor's records do not show any commissions payable to the Claimant for this booking.

10. As such, the Assignee objects to the Claim in its entirety and requests that Claim No. 3016 be disallowed.

WHEREFORE, the Assignee respectfully requests the Court enter an order sustaining his Objection to Village Travel's Claim, disallowing Claim No. 3016 in its entirety.

Dated: April 9, 2024

By: /s/ Paul N. Mascia

Michael A. Nardella, Esq.

Florida Bar No. 051265

Paul N. Mascia, Esq.

Florida Bar No. 0489670

mnardella@nardellalaw.com

pmascia@nardellalaw.com

kcooper@nardellalaw.com

Counsel for Assignee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via the Florida Court's e-Filing Portal on April 8, 2024, which will serve upon all parties and interested persons of record in this action; on claimant Village Travel via U.S. mail to 2294 153A Street, South Surrey, BC V4A-R5, Attn: Sharleen Dickson; and via email to sharleen@villagettravel.com cbl44@jud11.flcourts.org pursuant to CBL Rule 2.2.

/s/ Paul N. Mascia
Paul N. Mascia

Exhibit “A”

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

In Re:

CRYSTAL CRUISES, LLC
a California Limited Liability company.

3016

Assignor,

Case No.: 2022-002742 CA 01

To:

MARK C. HEALY,

Assignee,



PROOF OF CLAIM

TO RECEIVE ANY DIVIDEND IN THIS PROCEEDING, YOU MUST COMPLETE THIS PROOF OF CLAIM AND DELIVER IT TO THE ASSIGNEE NO LATER THAN:

JUNE 11, 2022

THE ASSIGNEE'S NAME AND ADDRESS ARE AS FOLLOWS:

Mark C. Healy, Assignee
MICHAEL MOECKER & ASSOCIATES, INC.
1885 Marina Mile Blvd., Suite 106
Fort Lauderdale, FL 33315
(954) 252-1560 • (954) 252-2791 Fax No.
Info@moecker.com

- 1. CREDITOR NAME (Your name):
- ADDRESS:
- TELEPHONE NUMBER:
- E-MAIL ADDRESS:

VILLAGE TRAVEL
2244-153A ST
SURREY BC CANADA V4P 4R5
604 535 0565
sharleen@villagetravel.ca
Please be sure to notify us if you have a change of address.

2. BASIS FOR CLAIM:

Goods Sold Wages, Salaries and Compensations Secured Creditor
 Services Performed Taxes
 Money Lended Shareholder Other: _____

3. DATE DEBT WAS INCURRED: 01 APR 2021

4. AMOUNT OF CLAIM: \$ 2065.06 USD

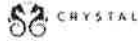
5. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase order, invoices, itemized statement of running accounts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary.

6. SIGNATURE: Sign and print name and title, if any, of the creditor or other person authorized to file this claim:

DATED: 12 MAR 2022

BY: Sharleen Dickson
Signature of Claimant or Representative

SHARLEEN DICKSON - TRAVEL PLANNER
Print Name and Title Here



CRUISE RESERVATION NUMBER: 2278016

Amenity Voyage

Advisor Copy, Issued: Apr 01, 2021

GRAND JOURNEY: SPLENDORS OF NORTH AMERICA
OCY220808-25
25 days on board the Crystal Serenity
Vancouver to New York
August 08, 2022 through September 02, 2022

TIER ONE TRAVEL INC
IATA NUMBER: 60516610
210 - 8835 Macleod Trail Sw
Calgary, AB, T2H0M2
ATTN: Sharleen Dickson

Thank you for choosing Crystal Cruises. Crystal highly recommends the purchase of travel insurance. For your convenience we offer the Cruise Protection Program, which provides cancellation benefits and coverage while traveling. To obtain your state-specific Certificate of Insurance that contains the complete terms, conditions, limitations and exclusions of the certificate, visit Crystal's Cruise Protection Program.

This reservation is subject to the terms and conditions. Please refer to the applicable Crystal Cruises brochure or Crystal Cruises website for additional terms and conditions that apply to your booking including the legally binding Guest Ticket Contract.

We have made the decision that guests must be fully inoculated with a COVID-19 vaccine (with both doses if recommended by the manufacturer) at least 14 days prior to boarding any Crystal ship and will be asked to provide proof of vaccination before embarkation.

If a visa/s is required for any destination/s on your itinerary, it is your responsibility to obtain it/them; this must be done prior to cruise departure. Please make arrangements with any visa agency of your choice, or through the local embassy or consulate of the countries you will be visiting. Failure to comply with all visa requirements may result in refusal of passage by Customs and Immigration authorities; you may be denied boarding, or you may be disembarked during the voyage. Additionally, any costs associated with these actions will be your responsibility.

GUESTS / STATEROOM

MR PETER STEIN
CRYSTAL SOCIETY #: 592178, CRYSTAL KEY: EGBFC1

10094 (P1) Deluxe Stateroom with Verandah located on Penthouse Deck

MS FRANCES DAVIE
CRYSTAL SOCIETY #: 592179, CRYSTAL KEY: EGBFC2

10094 (P1) Deluxe Stateroom with Verandah located on Penthouse Deck

CRUISE LEVEL

MR PETER STEIN

6 *Completed voyage credits

MS FRANCES DAVIE

6 *Completed voyage credits

TOP 10 REASONS TO SAIL WITH CRYSTAL CRUISES

1. The most trusted, all-inclusive luxury cruise brand
2. Open-seating, Michelin-inspired cuisine and casual dining in multiple restaurants
3. Nobu Matsuhisa's only sea-going restaurants
4. 24-hour room service in every room category, plus butler service in Penthouses and above
5. Multiple open bars and lounges, and endless pours of fine wines and spirits
6. The highest space-to-guest ratios with big-ship amenities and small-ship feel
7. The highest staff-to-guest ratio offering unmatched, personal service
8. Free unlimited Wi-Fi throughout the ships
9. More than 2,000 shore excursions plus complimentary voluntourism opportunities
10. The highest acclaimed enrichment in the industry, plus exclusive entertainment partnerships

CRUISE FARE CALCULATION (USD)

	PETER STEIN	FRANCES DAVIE	TOTAL
Brochure Fare	\$27,398.00	\$27,398.00	\$54,796.00
2 For 1 Savings	-\$13,699.00	-\$13,699.00	-\$27,398.00
Book Now Savings	-\$2,750.00	-\$2,750.00	-\$5,500.00
Book Now Cruise Fare	\$10,949.00	\$10,949.00	\$21,898.00
Combo Discount	-\$547.00	-\$547.00	-\$1,094.00
Crystal Society Savings	-\$274.00	-\$274.00	-\$548.00
Voucher	-\$2,185.44	-\$2,185.44	-\$4,370.88
Cruise Fare After Discounts	\$7,942.56	\$7,942.56	\$15,885.12
Taxes, Fees And Port Charges	\$1,430.00	\$1,430.00	\$2,860.00
Your Client's Crystal Cruise Fare	\$9,372.56	\$9,372.56	\$18,745.12

PAYMENTS AND BALANCE

Payment received \$15,885.12

Balance Due \$2,860.00

PAYMENT SCHEDULE

FIRST DEPOSIT of \$2,811.77 due on Apr 05, 2021

FINAL PAYMENT of \$15,933.35 due on Feb 09, 2022

BALANCE DUE INFORMATION IF PAID WITH GUEST CREDIT CARD

If paid in full with guest credit card by Feb 09, 2022 \$2,860.00

If paid in full with guest credit card by Nov 11, 2021 \$2,354.00
(includes \$506.00 Early Full Payment Savings)

DID YOU KNOW YOU CAN MAKE PAYMENTS ONLINE?

You can also manage your client's booking, check availability, and more by using our booking engine, CruiseBuilder. For fast, convenient service log on today at book.crystalcruises.com - accessible 24 hours a day, 7 days a week.

CRUISE PROTECTION

MR PETER STEIN

Not Selected

MS FRANCES DAVIE

Not Selected

*Cruise Protection Program "Travel Insurance" is available for purchase through Final Payment. Crystal highly recommends the purchase of travel insurance. For your convenience, we offer the Cruise Protection Program, which provides cancellation benefits and coverage while traveling. To obtain your state-specific Certificate of Insurance that contains the complete terms, conditions, limitations and exclusions of the Certificate, visit Crystal's Cruise Protection Program.



COMMISSION INFORMATION (U.S. DOLLARS)

CRUISE FARE
COMMISSIONS TOTAL

\$2,065.06
\$2,065.06



CANCELLATION POLICY (PER PERSON)

Feb 09, 2022-Mar 10, 2022	25%
Mar 11, 2022-Apr 09, 2022	50%
Apr 10, 2022-May 09, 2022	75%
May 10, 2022-Aug 08, 2022	100%

* General cancellation policy for reference purposes only. Actual penalty amount will be assessed at the time of the cancellation and may differ from the general policy.

In response to ongoing health concerns, Crystal has undertaken enhanced health and safety measures in an effort to mitigate the risk of exposure to COVID-19 and protect both our guests and crew members. Please carefully review and follow all posted instructions while boarding, onboard, and during your off-ship excursions.

Despite these measures, you should be aware that there is an inherent risk of exposure to COVID-19 and other contagious diseases in any public place where people are in close proximity. As a result, Crystal cannot guarantee that you will not become exposed to or infected with COVID-19 or any other contagious disease at any stage of your trip with Crystal. By choosing to cruise or fly with us, you voluntarily assume all risks related to exposure to COVID-19 or any other contagious disease.

AIR

Crystal is pleased to offer guests the option to purchase air through our Personal Select Air Program. Personal Select Air rates include transfers between the airport and pier on embarkation/disembarkation dates as well as shoreside support in the event of unanticipated airline or cruise schedule changes or delays that may impact travel plans. The Personal Select Air Program is available for purchase through Final Payment. Please contact Crystal's Air department at 1-800-446-6620 (prompt 7) or email airservices@crystalcruises.com

EMBARKATION & DEBARKATION INFORMATION

EMBARKATION
Vancouver

DEBARKATION
New York

Pier Name and Address
Canada Place
Cruise Ship Facility 999 Canada Place Way Vancouver, BC Canada

Pier Name and Address
TBA

From: Sharleen Dickson <sharleen@villagetravel.ca>
Sent: Saturday, March 12, 2022 3:15 PM
To: info @Moecker.com
Subject: Crystal reservations - case2022-002742 CA 01 -
Attachments: Davie 2022-002742 CA 01105.pdf

Please find attached documentation to show proof of claim for lost commission for services performed on reservation 2278016 - Davie
Thank you
Sharleen Dickson

Take Care,

Sharleen Dickson

Village Travel & Cruises
Ladies on the Go
An Affiliate of Travel Masters Vancouver
2294 153A Street
South Surrey, BC V4A 4R5
T: 604-535-5565 1-800-578-5565
F: 604-535-5581
BC Reg 72526
www.ladiesonthego.ca