

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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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.

**MOTION FOR APPROVAL AND PAYMENT OF FEES AND
REIMBURSEMENT OF EXPENSES INCURRED BY APPLEBY
(ISLE OF MAN) LLC AS ISLE OF MAN COUNSEL TO THE ASSIGNEE
FOR THE PERIOD OF MARCH 8, 2024 THROUGH MARCH 31, 2024**

**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 £3,014.00 and reimbursement of expenses incurred in the amount of £90.42 by Appleby (Isle of Man) LLC (“Appleby”) in connection with its representation of the Assignee during the period of March 8, 2024 through March 31, 2024 (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 Appleby as Isle of Man counsel to perform necessary legal services in connection with the pending related insolvency proceeding in the Isle of Man entitled *In the Matter of Crystal Brand Company Limited in Creditors Voluntary Liquidation* pursuant to the Isle of Man Companies Act of 2006, Proceeding Number 012832V (the “IOM Proceedings”).

4. On April 2, 2024, the Court entered an order approving the employment of Appleby as Isle of Man counsel to the Assignee, effective as of March 8, 2024.

5. During the Application Period, Appleby provided counsel to the Assignee in connection with the pending IOM Proceedings in Isle of Man including by attend a meeting of creditors and by conducting research and providing other assistance regarding the Assignors’ claim in the IOM Proceedings.

6. As of March 31, 2024, the cash balance in the estates is in excess of \$65 million (the “Estate Funds”).

7. Appleby, as Isle of Man counsel to the Assignee, has provided legal services to the Assignee in the amount of £3,014.00 and incurred expenses in the amount of £90.42 during the Application Period as identified in Appleby’ invoice attached hereto as **Exhibit “A”**.

8. The Assignee respectfully requests that the Court approve this Motion and allow Appleby an award of fees in the amount of £3,014.00 and expenses in the amount of £90.42 for the Application Period.

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 £3,014.00 in compensation for services rendered by Appleby and expenses incurred in the amount of £90.42, for a total award of £3,104.42, (iii) authorizing the Assignee to pay Appleby £3,104.42; and (iv) granting such other and further relief as the Court deems just and proper.

Dated: April 16, 2024

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 April 16, 2024 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 cb144@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)

Invoice

appleby ref:
465573.0001/GM

invoice date:
31 March 2024

**Mark Healy, in his capacity as Assignee for the Benefit of
Creditors of Crystal Cruises LLC**
c/o Michael Moecker & Associates Inc
841 Prudential Drive
Jacksonville 32207
United States of America

Attention: Mark C. Healy

Isle of Man Office
Appleby (Isle of Man) LLC
33-37 Athol Street
Douglas
Isle of Man
IM1 1LB

Tel +44 (0)1624 647 647

applebyglobal.com

Isle of Man Managing Partner
Mark Holligon

Isle of Man Partners
Charles Davies
Claire Corkish
Claire Milne
Caren Pegg
Garry Manley
Juan Thornley
Kyle Sutherland
Simon Harding
Tom Brook

Invoice Particulars

Invoice Number: 4236486
Invoice Period: 11 March 2024 to 31 March 2024
Matter: Liquidation of Crystal Brand Company Limited

Professional Services

To our professional services rendered in the above-noted matter. **GBP** 3,014.00

Please see attached breakdown of time spent.

Disbursements

General Disbursement Charges 90.42

GBP 3,104.42

VAT Outside Scope at 0.00% 0.00

TOTAL - Amount Due **GBP** **3,104.42**

This invoice is payable within 14 days of issue. Interest at the rate of 10% per annum will be applied to this account if not paid by that date. You have the right to seek the assessment of the fees either by the Chief Registrar or an assessor (who shall not be an Advocate appointed by the Isle of Man Law Society). There is a time limit to the exercise of your right to assessment being six months from the date of receipt of this invoice.

Appleby (Isle of Man) LLC (the Legal Practice) is a limited liability company with company number 000944L incorporated in the Isle of Man with its registered office at 33-37 Athol Street, Douglas, Isle of Man, IM1 1LB. "Partner" is a title to a member or employee of the Legal Practice. A list of such persons can be obtained from your relationship partner.

Amt	Bill Date	Bill Num	ID	Bl Hrs	Narrative	Rank Desc
.50	3/31/2024	4236486	17332454	2.9	Prep for and attend call with Mark and Sam; consider and research ability of liquidator to assign debts post-liquidation and impact on mandatory set-off	Partner > 10 Yr PQE
	3/31/2024	4236486	17336877	0.1	Emails with Sam	Partner > 10 Yr PQE
0	3/31/2024	4236486	17338011	0.4	Emails with Sam	Partner > 10 Yr PQE
0	3/31/2024	4236486	17339890	0.5	Correspondence with Sam; call into GWC re proxy and evidence of authority to bind creditor	Partner > 10 Yr PQE
0	3/31/2024	4236486	17341193	0.3	Telcon in from G Wilson; send update to Mark and Sam and subsequent email corr	Partner > 10 Yr PQE
0	3/31/2024	4236486	17345873	0.2	Attend creditors' meeting and send summary to client	Partner > 10 Yr PQE

.00

EXHIBIT B
(Proposed Order)

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
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In re:

COMPLEX BUSINESS LITIGATION
DIVISION

CRYSTAL CRUISES LLC, a California
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Assignors,
To:

(Jointly Administered Cases)

MARK C. HEALY,

Assignee.
_____/

**ORDER GRANTING MOTION FOR APPROVAL AND PAYMENT
OF FEES AND REIMBURSEMENT OF EXPENSES INCURRED BY
APPLEBY (ISLE OF MAN) LLC AS ISLE OF MAN COUNSEL TO THE ASSIGNEE
FOR THE PERIOD OF MARCH 8, 2024 THROUGH MARCH 31, 2024 [DE ____]**

THIS CAUSE came before the Court upon the *Motion for Approval and Payment of Fees and Reimbursement of Expenses Incurred by Appleby (Isle of Man) LLC as Isle of Man Counsel to the Assignee for the Period March 8, 2024 through March 31, 2024* [DE ____] (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 Appleby (Isle of Man) LLC (“Appleby”) seeks compensation in the amount of £3,014.00 for legal services rendered and expenses incurred in the amount of £90.42 by Appleby, for a total award of £3,104.42 for the period of March 8, 2024 through March 31, 2024. 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. Appleby, as Isle of Man counsel to the Assignee, is awarded fees in the amount of £3,014.00 for legal services rendered and expenses incurred in the amount of £90.42, which represents 100% of the fees and expenses requested in the Motion.
3. The Assignee is authorized to pay to Appleby the sum of £3,104.42.
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 _____, 2024.

HONORABLE LISA S. WALSH
Circuit Court Judge

Copies furnished to:

Counsel of record