

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.

_____/

**ASSIGNEE’S MOTION (1) FOR AUTHORIZATION
TO MAKE INTERIM DISTRIBUTION TO CREDITORS AND
(2) TO ESTABLISH A PROCEDURE REGARDING UNCLAIMED DISTRIBUTIONS**

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”), by and through undersigned counsel and pursuant to Florida Statutes §§ 727.102, 727.105, 727.108(12), 727.109(1), (9), and (15), and 727.114, 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* [DIN 42] (the “Notice Procedures Order”), files this *Motion (1) for Authorization to Make Interim Distribution to Creditors and (2) to Establish a Procedure Regarding Unclaimed Distributions* (the “Motion”). In support of the Motion, the Assignee states:

Background

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 Chapter 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. The claims bar date was June 11, 2022. More than 12,400 proofs of claim were submitted against the estate of Crystal Cruises LLC (the “Estate”). The Assignee analyzed and reconciled the proofs of claim and filed 53 omnibus objections to consumer claims representing objections to approximately 5,300 proofs of claim, in addition to numerous other omnibus and standalone objections to wage claims and general unsecured claims.

4. On July 31, 2023, the Assignee filed a motion to make an interim distribution to priority claimants, including consumers, employees, and tax claimants. On September 7, 2023, the Court entered the *Order Granting Assignee’s Motion for Authorization to Make Interim Distribution to Priority Creditors* [DIN 461] (the “Priority Interim Distribution Order”). In late

2023, the Assignee made an interim distribution to priority claimants in the approximate aggregate amount of \$19 million (the “Priority Distribution”). The Priority Distribution included distributions to consumer claimants, who were entitled to a maximum priority claim of \$2,225, and employee wage claimants, who were entitled to a maximum priority claim of \$10,000. *See* Florida Statutes §§ 727.114(d) and (e). The balance of such claims, if any, is treated as a general unsecured claim. Additionally, the Priority Distribution included a distribution to priority tax claimants in the full amount of their allowed claims.

5. Following the Priority Distribution, there are no remaining allowed priority claims in the Assignment Cases, and only general unsecured claims remain.

6. On February 28, 2025, the Assignee filed a motion to establish a procedure regarding unclaimed distributions related to the Priority Distribution. *See* DIN 829. On April 7, 2025, the Court entered the *Order Granting Assignee’s Motion for Entry of Order Disallowing Claims with Unclaimed Distributions* [DIN 839] (the “Priority Unclaimed Distribution Order”) which, *inter alia*, disallowed the proofs of claim belonging to priority claimants that did not claim their priority distribution.

7. On April 8, 2026, the Court approved the settlement (the “Genting Settlement”) of the litigation concerning the proofs of claim submitted by Genting Hong Kong Limited and certain of its affiliates (collectively, the “Genting Claimants”). *See Order Granting Assignee’s Motion to Approve Settlement with Genting Hong Kong Limited, Crystal Acquisition Company Limited, Star Cruises (HK) Limited, Crystal International (Asia) Limited, and Star Cruise Pte Ltd* [DIN 956]. The Genting Settlement reflected a reduction of nearly \$1 billion from the Genting Claimants’ original claim amount of \$1.068 billion. The order approving the Genting Settlement is now a final, non-appealable order, and all settlement payments required thereunder, including both

payments to the Estate and payments from the Estate, have been made in full. As a result, the proofs of claim submitted by the Genting Claimants have been fully resolved and no further obligations exist between the Estate and the Genting Claimants in connection therewith.

8. Following the Genting Settlement and the more than five thousand other claim objections diligently filed and prosecuted by the Assignee, there remains approximately \$131 million in allowed general unsecured claims representing approximately 4,600 allowed proofs of claim. The Assignee has completed his review and reconciliation of all proofs of claim, and the allowed claims pool is now substantially fixed. Additionally, there remain unpaid administrative expenses of the Estate including, *inter alia*, the Assignee's fee on receipts from May 20, 2025, through the closing of the Assignment Cases,¹ Estate expenses, and the fees and expenses of the Assignee's counsel from March 1, 2026, through the closing of the Assignment Cases.

9. As of May 19, 2026, the cash balance in the Estate is \$46,271,315.05 (the "Estate Funds").

10. The Assignee believes that there are at least two assets that remain for the Assignee to monetize (collectively, the "Remaining Recoveries"): (i) claims of the Assignors in the class action proceedings pending against Visa and Mastercard in the U.S. District Court for the Eastern District of New York styled *In re Payment Card Interchange Fee & Merchant Discount Antitrust Litig.*, for which the Assignee recently recovered a partial distribution of \$378,026.63 in April of 2026 for the benefit of the Estate; and (ii) the judgment obtained by the Assignee, through his special counsel Astrea CVBA, following a trial in the fall of 2025 in connection with maritime litigation pending in Belgium in the amount of approximately €976,000, which judgment is currently on appeal.

¹ Contemporaneously with the filing of this Motion, the Assignee is filing the *Motion for Approval and Payment of Fees of Assignee, Mark C. Healy for the Period of May 20, 2025 through May 19, 2026*.

11. The Assignee has determined, in the exercise of his reasonable business judgment, that the Estate Funds are sufficient to make the interim distribution proposed herein while maintaining an adequate reserve (the “Reserve”) for: (i) all remaining unpaid administrative expenses of the Estate, including the Assignee’s fee and the fees and expenses of counsel, through the closing of the Assignment Cases; (ii) any costs associated with the monetization and collection of the Remaining Recoveries; and (iii) a reasonable contingency for unanticipated expenses through the closing of the Assignment Cases. The Assignee will not distribute the Reserve as part of the interim distribution proposed herein.

Relief Requested

i. Interim Distribution to Creditors

12. By this Motion, the Assignee seeks authority to make an interim distribution from Estate Funds to all allowed general unsecured creditors (the “Interim Distribution”), including a finding by the Court that the Assignee has acted in good faith good and with due diligence in connection with his duties and responsibilities as an assignee under Chapter 727, Florida Statutes, including in administering the Estate and in proposing and making the Interim Distribution.

13. Through the Interim Distribution, the Assignee proposes to distribute a total of approximately \$39,540,000 to allowed general unsecured creditors, representing the vast majority of Estate Funds. This Interim Distribution will result in allowed general unsecured creditors collecting approximately 30% of their allowed claim amounts (excluding any Priority Distribution already paid to such claimant and excluding any future final distribution). Upon entry of an order approving this Motion, the Assignee intends to begin making the Interim Distribution.²

² After the Interim Distribution is made, and accounting for the pending request for payment of the Assignee’s fee for the Period of May 20, 2025 through May 19, 2026, the Assignee estimates that he will have a Reserve of funds in excess of \$5.8 million.

14. The Assignee estimates that it could take several months to conclude the Interim Distribution given the number of allowed claimants and that payments will be made to claimants in dozens of foreign countries.

15. Florida Statutes § 727.108(10) provides that the Assignee shall “[p]ay dividends ... as often as is compatible with the best interests of the estate ...” Additionally, Florida Statutes § 727.109(9) provides that the Court has the power to “approve the assignee’s ... interim and final distributions to creditors.”

16. Following final approval of the Genting Settlement, and with the Remaining Recoveries still pending, the Assignee submits that making the Interim Distribution is in the best interests of the Estate. The Assignee has acted prudently, in good faith, and in compliance with his duties and responsibilities as an assignee under Chapter 727, Florida Statutes, in determining the timing and amount of the Interim Distribution, taking into account, among other things, the finality of the Genting Settlement, the substantially fixed nature of the allowed claims pool, the adequacy of the Reserve, and the interests of creditors in receiving distributions as promptly as practicable. The Assignee further submits that he should be authorized to rely on the Court’s order approving the Interim Distribution and should not be subject to liability to any party for distributions made in accordance therewith.

ii. *Procedure for Unclaimed Distributions*

17. By this Motion, the Assignee also seeks to establish a procedure regarding unclaimed distributions relating to the Interim Distribution.

18. Approximately 5% of the Priority Distribution amount went unclaimed because mailed checks were not negotiated or were returned as undeliverable, wire transfers were rejected

or were otherwise unsuccessful, wire instructions were never received or were incomplete, or the claimant was deceased and such deceased claimant's estate did not provide requested information.

19. Over the last several months, the Assignee has attempted to avoid the foregoing distribution issues by preemptively contacting claimants to confirm address and wire transfer information. Notwithstanding the foregoing efforts, it is likely that at least some portion of the Interim Distribution will go unclaimed, given the thousands of claimants including foreign claimants.

20. Accordingly, the Assignee wishes to establish a procedure for unclaimed distributions related to the Interim Distribution,³ as follows:

- a) If, after 60 days following the Interim Distribution, a claimant has not claimed its interim distribution (each, an "Unclaimed Funds Claimant"), the Assignee will mail and email the *Final Notice to Claim Distributions* (the "Notice"), in the form attached hereto as **Exhibit 2**, to each Unclaimed Funds Claimant using the mailing and email addresses included in such claimant's proof of claim.
- b) Any Unclaimed Funds Claimant must comply with the Notice and contact the Assignee within 30 days of the service of the Notice pursuant to the instructions on the Notice and provide a valid address, wire transfer instructions, and any information necessary for the Assignee to make the interim distribution to such Unclaimed Funds Claimant, as the case may be.
- c) If an Unclaimed Funds Claimant fails to comply with the Notice, such Unclaimed Funds Claimant's claim shall be disallowed and expunged in its entirety without further Order of the Court, and such Unclaimed Funds Claimant shall not receive any interim or final distribution from the Estate.
- d) All remaining unclaimed distributions will be reallocated to other allowed claimants (including administrative expense claimants) pursuant to the priorities set forth in Fla. Stat. § 727.114.

³ This procedure is substantially similar to the procedure approved by this Court in connection with the Priority Distribution. *See* Priority Unclaimed Distribution Order [DIN 839].

WHEREFORE, the Assignee respectfully requests the entry of an Order, in the form attached hereto as **Exhibit 1**, (i) granting this Motion; (ii) finding that the Assignee has acted in good faith, and in compliance with his duties and responsibilities as an assignee under Chapter 727, Florida Statutes, in proposing and making the Interim Distribution; (iii) authorizing the Assignee to make the Interim Distribution to allowed general unsecured creditors as set forth herein from Estate Funds; (iv) finding that the Assignee shall not be subject to any surcharge, liability, or cause of action by any person or entity for any distributions made in accordance with the Court's order; (v) establishing a procedure regarding unclaimed distributions relating to the Interim Distribution as set forth herein; and (vi) granting such other and further relief as the Court deems just and proper.

Dated: May 21, 2026

Respectfully submitted,

BERGER SINGERMANN LLP
Counsel for Assignee
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Miami, FL 33131
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By: /s/ Samuel J. Capuano
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 on May 21, 2026: (1) via the Florida Court's e-Filing Portal to all parties that have entered an appearance in this case; (2) on counsel for the Assignors, Adam Losey, Esq., Losey PLLC, 1420 Edgewater Drive, Orlando, FL 32804, via email to alosey@losey.law; (3) via email to cbl44@jud11.flcourts.org pursuant to CBL Rule 2.2; and (4) via e-mail to 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 1
(Proposed Order)

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
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CRYSTAL HOLDINGS U.S., LLC, a
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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 (1) FOR AUTHORIZATION
TO MAKE INTERIM DISTRIBUTION TO CREDITORS AND
(2) TO ESTABLISH A PROCEDURE REGARDING UNCLAIMED DISTRIBUTIONS**

THIS MATTER came before the Court on _____, 2026 at ____ (the “Hearing”) upon the *Assignee’s Motion (1) for Authorization to Make Interim Distribution to Creditors and (2) to Establish a Procedure Regarding Unclaimed Distributions* (the “Motion”) filed on May 21, 2026, 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”). The Motion seeks entry of an order (1) authorizing the Assignee to make an interim distribution to allowed general unsecured creditors and (2) establishing a procedure regarding unclaimed distributions. The Court, having reviewed the Motion and the record in this case, having heard argument from counsel at the Hearing, finding that notice of the

Motion was properly served on interested parties as required by 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* [DIN 42] (the "Notice Procedures Order"), noting that no objection to the Motion was filed or made at the Hearing, finding that the Assignee has acted in good faith, with due diligence, and in compliance with his duties and responsibilities as an assignee under Chapter 727, Florida Statutes, in administering the Estate and in proposing and making the Interim Distribution, finding that the Assignee has maintained an adequate reserve for all remaining administrative expenses and contingencies, finding that the relief requested in the Motion is in the best interests of the Estate,¹ and finding that good and sufficient cause exists for the granting of the relief requested in the Motion and set forth herein, it is hereby

ORDERED as follows:

1. The Motion is **GRANTED**.
2. The Assignee is authorized to make the Interim Distribution from Estate Funds as described in the Motion, and the Assignee is entitled to rely on this Order as full and complete authority for all distributions made in accordance herewith.
3. The Assignee has acted in good faith, with due diligence, and in compliance with his duties and responsibilities as an assignee under Chapter 727, Florida Statutes, in administering the Estate, including but not limited to the reconciliation and objection to proofs of claim, the negotiation and consummation of the Genting Settlement, and the proposal and implementation of the Interim Distribution, and the Assignee shall not be subject to any surcharge, liability, or cause

¹ Capitalized terms not defined herein shall have the same meaning ascribed to them as in the Motion.

of action by any creditor, claimant, or other party for any distributions made in accordance with this Order.

4. This Order shall be binding upon all creditors, claimants, and parties in interest in and to the Assignment Cases, including their successors and assigns, and any creditor, claimant, or party in interest that failed to timely object to the Motion shall be deemed to have consented to the relief granted herein.

5. The procedure regarding unclaimed distributions relating to the Interim Distribution as described in the Motion is approved.

6. If, after 60 days following the Interim Distribution, a claimant has not claimed its interim distribution (each, an “Unclaimed Funds Claimant”), the Assignee will mail and email the *Final Notice to Claim Distributions* (the “Notice”), in the form attached to the Motion as Exhibit 2, to each Unclaimed Funds Claimant using the mailing and email addresses included in such claimant’s proof of claim.

7. Any Unclaimed Funds Claimant must comply with the Notice and contact the Assignee within 30 days of the service of the Notice pursuant to the instructions on the Notice to provide a valid address, wire transfer instructions supported by a bank letter, and any other information necessary for the Assignee to make the interim distribution, as the case may be.

8. If an Unclaimed Funds Claimant fails to comply with the Notice, such Unclaimed Funds Claimant’s claim shall be disallowed and expunged in its entirety without further Order of the Court, and such Unclaimed Funds Claimant shall not receive any interim or final distribution from the Estate.

9. All remaining unclaimed distributions will be reallocated to other allowed claimants (including administrative expense claimants) pursuant to the priorities set forth in Florida Statutes § 727.114.

10. The terms, conditions, and provisions of this Order shall be immediately effective and enforceable upon entry hereof.

11. The Assignee is authorized to take all actions necessary or appropriate to give effect to this Order, and no person or entity shall interfere with, impede, or bring any action against the Assignee in connection with the implementation of the Interim Distribution or the unclaimed distribution procedures authorized herein.

12. The Court shall retain jurisdiction to resolve any dispute arising from or relating to this Order.

DONE AND ORDERED in Chambers, at Miami-Dade County, Florida on this ____ day of _____, 2026.

HONORABLE LISA S. WALSH
CIRCUIT COURT JUDGE

EXHIBIT 2

(Final Notice to Claim Distributions)

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.

FINAL NOTICE TO CLAIM DISTRIBUTIONS

You are receiving this *Final Notice to Claim Distributions* because you submitted a proof of claim in the Crystal Cruises LLC assignment for the benefit of creditors case but a distribution made to you has not been claimed.

Mark C. Healy, the Assignee for the benefit of creditors of Crystal Cruises LLC, has attempted to make a distribution of money to you by check or wire transfer but has been unable to do so.

In order to receive a distribution from the Crystal Cruises LLC estate, within 30 days of the date of service of this Notice, you must contact the Assignee via email at info@moecker-crystal.com and provide a valid address, wire transfer instructions supported by a bank letter, and any other information necessary for the Assignee to make the interim distribution, as the case may be. The Assignee will attempt to initiate a wire to you no more than three times.

If you fail to comply with this *Final Notice to Claim Distributions*, your proof of claim will be disallowed and expunged in its entirety and you will not receive any distribution from the Crystal Cruises LLC estate.