UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

HAVANA DOCKS CORPORATION,

Plaintiff,

v.

CARNIVAL CORPORATION,

Defendant.
_____/

Case No. 19-cv-21724
BLOOM/McAliley

HAVANA DOCKS CORPORATION,

Plaintiff,

v.

MSC CRUISES SA,
MSC CRUISES SA CO, and
MSC CRUISES (USA) INC.,

Defendants.
_____/

Case No. 19-cv-23588
BLOOM/Louis

HAVANA DOCKS CORPORATION,

Plaintiff,

v.

ROYAL CARIBBEAN CRUISES, LTD.,

Defendant.
_____/

Case No. 19-cv-23590
BLOOM/Louis

HAVANA DOCKS CORPORATION,

Plaintiff,

v.

NORWEGIAN CRUISE LINE HOLDINGS LTD.,

Defendant.
_____/

Case No. 19-cv-23591
BLOOM/Louis

REPLY IN SUPPORT OF
DEFENDANTS' EXPEDITED MOTION TO REMOVE CASES FROM
TRIAL CALENDAR AND CONTINUE REMAINING PRETRIAL DEADLINES

In its response, Havana Docks Corporation ("HDC") agrees with Defendants[1] that moving the trial date would be appropriate given the pending *Daubert* Motions.[2] HDC also agrees that a trial in mid or late September 2022 would be appropriate. HDC's only opposition is on a purely technical ground about whether the case is "removed" from the trial calendar or reset to mid or late September 2022. This is a distinction without a difference, as the crux of Defendants' Expedited Motion is to move the trial date to a time period that would allow for full resolution of the *Daubert* Motions and allow sufficient time between that ruling and the Parties' deadlines to submit motions *in limine*, other pretrial submissions, and trial. Defendants submit that, subject to the Court's availability, resetting the trial for some time after September 15, 2022 would accomplish the Parties' shared goal of efficient resolution of this case.[3] Thus, there is no real dispute between the Parties about vacating current pretrial deadlines—including the upcoming April 8, 2022 deadline for motions *in limine*—and moving the trial date. Defendants respectfully request that the Court grant Defendants' Expedited Motion to remove the case from the May 23, 2022 trial calendar, vacate existing pre-trial deadlines, and reset the case for trial for some time after September 15, 2022 with new corresponding pretrial deadlines.

---

[1] "Defendants" are Carnival Corporation d/b/a Carnival Cruise Line ("Carnival"), MSC Cruises S.A., MSC Cruises SA Co., and MSC Cruises (USA) Inc. (together, "MSC Cruises"), Royal Caribbean Cruises Ltd. ("Royal Caribbean"), and Norwegian Cruise Line Holdings Ltd. ("Norwegian")

[2] As identified in Defendants' Expedited Motion, the "*Daubert* Motions" refer to Plaintiff's Motion to Exclude Opinion of Pablo Spiller (Carnival ECF No. 328, MSC Cruises ECF No. 214, Royal Caribbean ECF No. 138, Norwegian ECF No. 226,) and Defendants' Omnibus Motion to Exclude Testimony of Plaintiff's Experts (Carnival ECF No. 320, MSC Cruises ECF No. 207, Royal Caribbean ECF No 129, Norwegian ECF No. 222).

[3] Defendants' request is without prejudice to Defendants' pending motion for interlocutory appeal and for stay pending resolution of that appeal.

Dated: April 5, 2022

Respectfully submitted,

BOIES SCHILLER FLEXNER LLP
401 East Las Olas Boulevard, Suite 1200
Fort Lauderdale, Florida
Telephone: (954) 356-0011
Facsimile: (954) 356-0022

By:/s/ *Stuart H. Singer*
Stuart H. Singer
Florida Bar No. 377325
ssinger@bsfllp.com
Meredith Schultz
Florida Bar No. 29536
mschultz@bsllp.com
Pascual A. Oliu
Florida Bar No. 0107737
Corey P. Gray
Florida Bar No. 0115473
cgray@bsfllp.com

Pedro A. Freyre
Florida Bar No. 192140
Pedro.freyre@akerman.com
AKERMAN LLP
98 S.E. 7th Street, Suite 1100
Miami, Florida 33131
Telephone: (305) 374-5600

George J. Fowler, III (admitted *pro hac vice)*
gfowler@joneswalker.com
Luis Llamas
Florida Bar No. 89822
llamas@joneswalker.com
JONES WALKER LLP
201 St. Charles Avenue
New Orleans, LA 70170
Telephone: (504) 582-8752

Counsel for Carnival Corporation

HOGAN LOVELLS US LLP
600 Brickell Avenue, Suite 2700
Miami, Florida 33131
Telephone: (305) 459-6500
Facsimile: (305) 459-6550

By: /s/ *Allen P. Pegg*
Richard C. Lorenzo
Florida Bar No. 071412
richard.lorenzo@hoganlovells.com
Allen P. Pegg
Florida Bar No. 597821
allen.pegg@hoganlovells.com

Counsel for Norwegian Cruise Line Holdings Ltd.

HOLLAND & KNIGHT LLP
701 Brickell Avenue, Suite 3300
Miami, Florida 33131
Telephone: (305) 374-8500
Facsimile: (305) 789-7799

By: */s/ Scott D. Ponce*
Scott D. Ponce
Florida Bar No. 0169528
sponce@hklaw.com

Counsel for Royal Caribbean Cruises Ltd.

VENABLE LLP
600 Massachusetts Avenue
Washington, D.C. 20001
Telephone: (202) 344-4703
Facsimile: (202) 344-8300

By:*/s/ J. Douglas Baldridge*
Florida Bar No. 708070
JBaldridge@venable.com
Andrew T. Hernacki (admitted *pro hac vice*)
ATHernacki@venable.com
Justin B. Nemeroff (admitted *pro hac vice*)
JBNemeroff@venable.com

Counsel for MSC Cruises

CERTIFICATE OF SERVICE

I hereby certify that on April 5, 2022, the foregoing was filed with the Clerk of Court using CM/ECF, which will serve a Notice of Electronic Filing on all counsel of record.

By:/s/ *Stuart H. Singer*
Stuart H. Singer