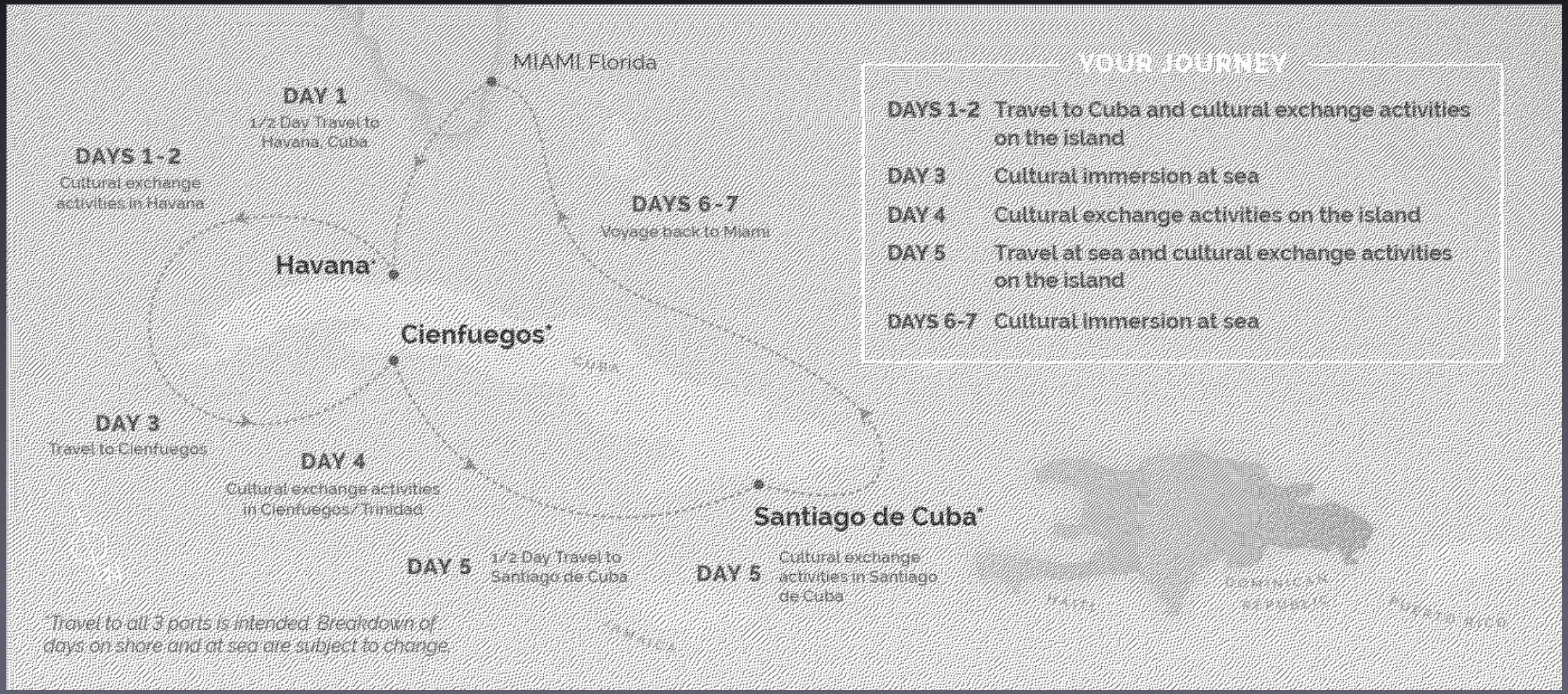
EXHIBIT "9"

NECESSARY

NECESSARY

as to Carnival, Norwegian, and Royal Caribbean

Circumnavigating Cuba - Carnival

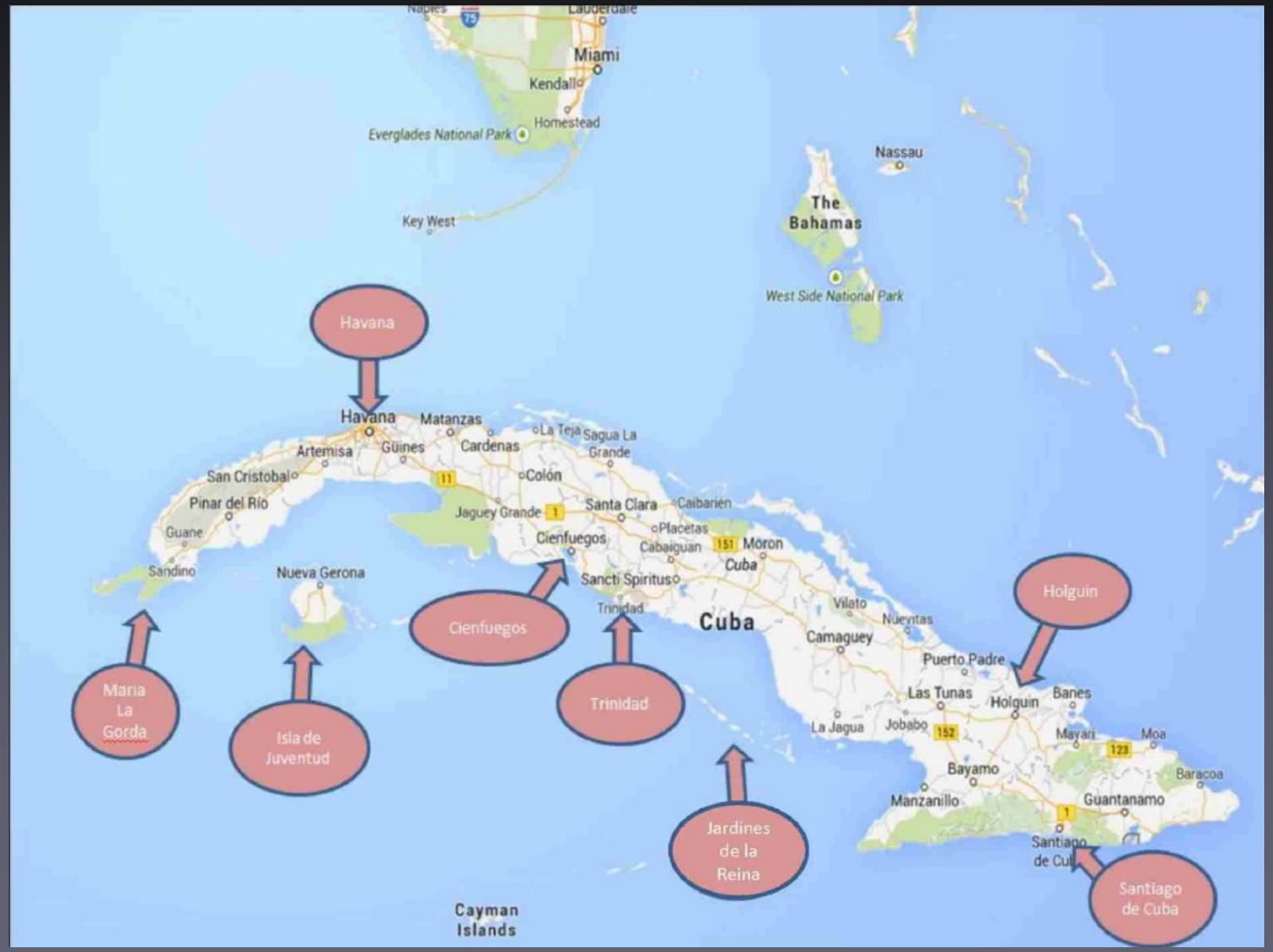


Carnival, ECF No. 310-6 at 12

Circumnavigating Cuba - Norwegian

Norwegian, ECF No. 215-4 at 40

Circumnavigating Cuba - Royal



Royal, ECF No. 124-1 at 6

Competitor Cuba Itineraries

Thompson Cruises

Fred Olsen Cruises

Noble Caledonia Cruises

***Royal*, ECF No. 124-1 at 9-13; *Norwegian*, ECF No. 221-34 at 9-13; *MSC*, ECF No. 218-31 at 9-13**

Using the Havana Port Terminal was Not Necessary to the Conduct of Cruise Travel to Cuba: Adonia

- "Carnival admits that between February 2017 and May 2017, the Adonia provided carrier services to Cuba without stopping in Havana or docking at the Havana Cruise Port Terminal." *Carnival*, ECF No. 322-2 at 21, RFA 64.

- "Carnival admits that on at least one occasion, Aries Transportes, S.A., which Carnival believes has an affiliation with, or was part of, MITRANS, authorized the Adonia to provide carrier services to Cuba without stopping in Havana or docking at the Havana Cruise Port Terminal." *Carnival*, ECF No. 322-2 at 21, RFA 65.

- "Carnival admits that it believes that the Adonia provided carrier services to Cuba that did not stop in Havana five times between January 1, 2017 and June 4, 2017." *Carnival*, ECF No. 322-2 at 23, RFA No. 67.

Using the Havana Port Terminal was Not Necessary to the Conduct of Cruise Travel to Cuba: Veendam

- "Carnival admits that the Veendam provided carrier services to Cuba four times from December 2018 to April 2019 that did not stop in Havana." *Carnival*, ECF No. 322-2 at 26, RFA 88.

- "Between December 2018 and April 2019, on at least four cruises, the Veendam sailed to Cuba without docking at the Havana Cruise Port Terminal: Admitted." *Carnival*, ECF No. 322-2 at 26, RFA 89.

- "Carnival admits that on at least one occasion, Aries Transportes, S.A., which Carnival believes has an affiliation with, or was part of, MITRANS, authorized the Veendam to provide carrier services to Cuba without stopping in Havana or docking at the Havana Cruise Port Terminal." *Carnival*, ECF No. 322-2 at 27, RFA No. 90.

Cuban Government: Use Other Ports

- Royal: Cuban Government wanted and encouraged Royal to cruise to ports aside from Havana
  - *Royal*, ECF No. 122-6 at 134:2 – 136:4
- Norwegian: Cuban Government pushed for more calls to Cienfuegos and Santiago.
  - *NCL*, ECF No. 214-1 at 87:13 – 91:9.
- Carnival: "The Cubans generally wanted to have more ships and going to more ports"
  - *Carnival*, ECF No. 308-2 at 11:8-13.

Q. Okay, sir. Did the Cubans feel that NCL wasn't paying enough attention to Cienfuegos and Santiago de Cuba?

MR. PEGG: Object to the form.

A. They were pushing for more calls to Cienfuegos and Santiago.

Carnival: Cruising to Havana Was a Business Decision

VIDEO-RECORDED DEPOSITION OF

ARNALDO PEREZ

Q. When you say that Havana was the primary port, what did you mean by the primary port?

A. Again, that travel to Cuba without including Havana made little commercial sense.

Q. Okay. Again, we're talking about a financial decision when you say a commercial sense, correct, sir?

A. A business decision.

***Carnival*, ECF No. 308-5 at 25:1-8; 26:18-25**

Royal: Cruising to Havana Was a Business Decision

VIDEO-RECORDED DEPOSITION OF

CORPORATE REPRESENTATIVE BRADLEY H. STEIN

Q. And, again, this is all specific to if Royal wanted to cruise to the Havana, the city of Havana, it had to use the Havana Port Terminal?

A. Correct.

Q. Just limited to the cruises to Havana?

A. Correct.

Q. And Royal was not required to cruise to Havana, was it, sir?

A. No.

Q. It was a business decision?

A. It was a business decision.

***Royal*, ECF No. 122-2 at 107:10-20**

Norwegian: Cruising to Havana Was a Business Decision

- Norwegian's President and CEO: "The wonderful thing about Cuba is it's more than just Havana; there's all these wonderful ports throughout the island." -- ECF No. 279-4, 293 at 7:50-8:00.

- Norwegian's President and CEO: "You know, I think in relatively short order, Cuba – Havana can become one of the top-10 port destinations in the world for the cruise industry." ECF No. 221-15 at 15:17-20.

- "Sailing into Havana will instantly become one of the classic moments in cruising." ECF No. 214-19 at 14.

Carnival's Strategy: Secure the Best Berth in Havana

The Cuba Strategy
March 16, 2015

Strategy 3: Secure the best berths in Havana and develop ship handling infrastructure around the island.

When Cuba opens for American maritime tourism, the demand for cruise berths at the attractive ports will far outstrip current availability. We need to: 1) secure berthing rights in existing infrastructure and 2) further develop the cruise berth infrastructure.

From a tourism perspective, without underestimating the attractiveness of other places, including the provinces of Matanzas (within it: Varadero), Pinar del Rio, Santiago de Cuba , Holguin, Isla de la Juventud (Isla de Pinos), Sancti Spiritus or Cienfuegos among others, there is Havana and then there is everything else. See Appendix 2: Map of Cuba

Havana – Securing berthing rights

Havana Harbor's Sierra Maestra is the main port of Havana and Cuba. It is immersed in the city itself, providing an attraction/ sightseeing experience, simply by berthing the vessel. Currently, it provides space for one berth. However, the current facility can be adjusted to take two or possibly even three berths. (See Appendix 3: Ship-to-Port match)

Our strategy would be to secure existing berths in existing ports (Havana Harbor and/or Casablanca) while exploring the Matanzas option in detail. Understanding the long-term implication and strategic value of Havana, securing berthing rights should be a very high priority.

Carnival, ECF No. 308-50 at 1, 6-7

Undisputed Alternative: the Viking Model

- Called in Cienfuegos & bussed passengers to Havana for 1 or 2 day excursions
  - *Carnival*, ECF Nos. 332, 373 at ¶¶ 60; *Norwegian*, ECF Nos. 228, 282 at ¶¶ 70; *Royal*, ECF Nos. 141, 172 at ¶¶81; *MSC*, ECF Nos. 224, 253 at ¶¶ 90.

- Bus ride was equivalent to shore excursions offered by the Defendants
  - Carnival – Discover Vinales, ECF No. 311-33 at 12
  - Norwegian -- The Vinales Valley ("Approx. 3 hours"), ECF No. 217-6 at 8
  - Royal – Authentic Vinales Experience (2 hours), ECF No. 131-43 at 13-14
  - MSC – Verdant Vinales Valley (2 hours), ECF No. 218-17 at 4

Vinales
Cuba

- Get on Autop. Este-Oeste
  42 min (29.0 km)
- Follow Autop. Este-Oeste to La Habana
  1 hr 42 min (148 km)
- Drive to Carr. Central de Cuba
  11 min (6.1 km)

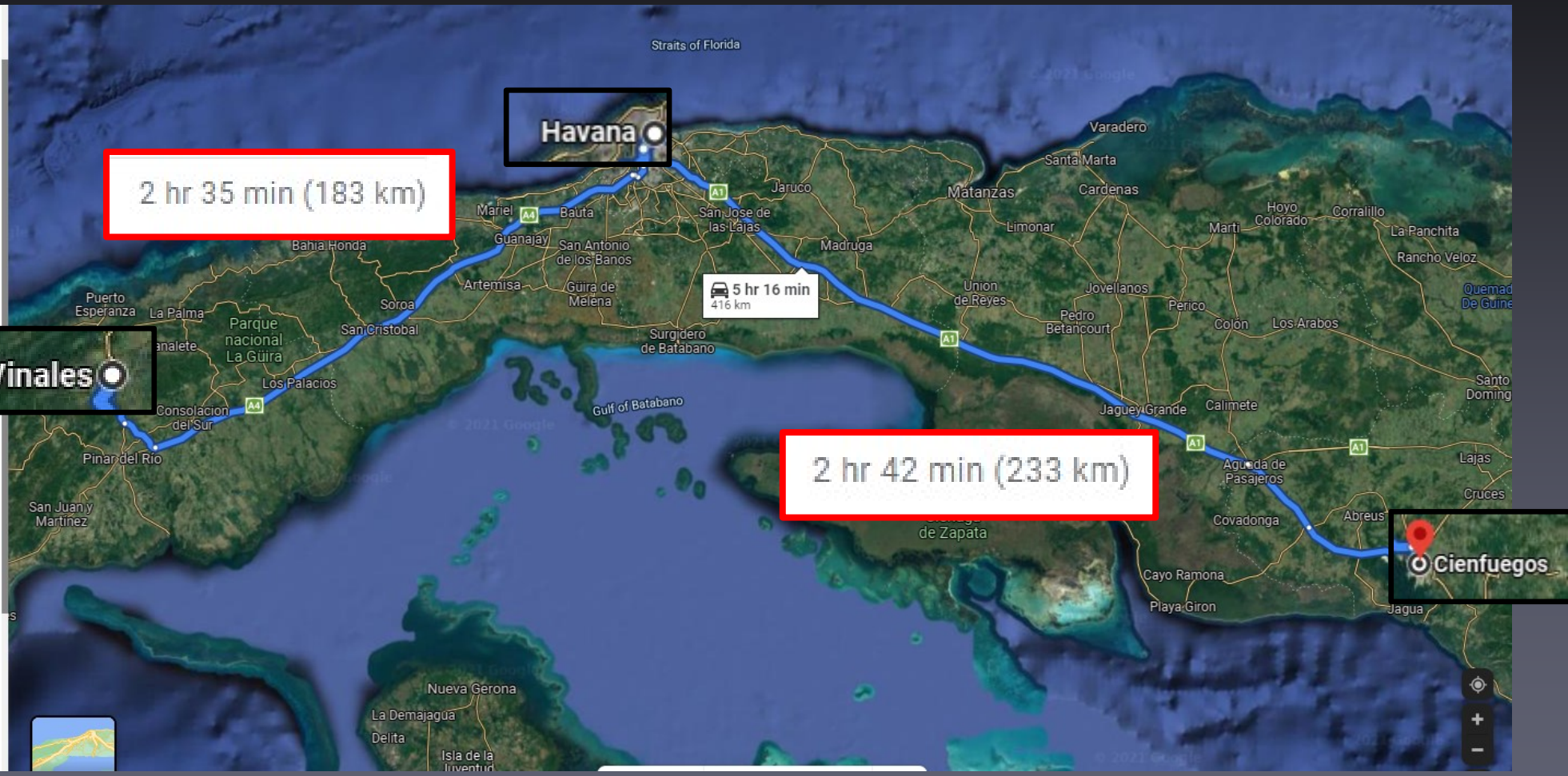
2 hr 35 min (183 km)

Havana
Cuba

- Take Carr. Central de Cuba and Vía Blanca to Autop. Nacional
  10 min (5.1 km)
- Follow Autop. Nacional to CS in Cienfuegos. Exit from Autop. Nacional
  1 hr 48 min (172 km)
- Continue on CS to your destination in Cienfuegos
  44 min (55.5 km)

2 hr 42 min (233 km)

Cienfuegos
Cuba



Undisputed Alternative: Talk to Havana Docks

NECESSARY

as to the MSC Defendants

MSC Opera Exceeds Length Restrictions at the Havana Port Terminal

From: Luigi Pastena [lpastena@mscctd.it]
Sent: 5/13/2015 4:13:07 AM
To: Onorato Gianni [gianni.onorato@msccruises.com]; Suprani Gianluca [gianluca.suprani@msccruises.com]; La Scala Emilio [elascala@mscctd.it]; Vago Pierfrancesco [pierfrancesco.vago@msccruises.com]
CC: MSCCTD Port Operations Department [mscportoperations@mscctd.it]
Subject: Msc Opera Report on the Havana Harbor
Attachments: image004.emz; image012.emz; image018.emz; image020.emz; image022.emz

Good evening,

The following limitations currently exist at the Habana harbor:

- Entry into Habana's port prohibited to vessels longer than 250 meters
- Docking at the Maritima Sierra Maestra Terminal (North side) for vessels longer than 245 meters
- Docking at the Maritima Sierra Maestra Terminal (South side) for vessels longer than 220 meters

Entry into port

We talked to the Pilot, Capt. Mario Martinez Lahera, who confirms us that this limitation exists, but after listening to the features of MSC Opera, in his maritime experience it would be able to enter without issues – However, all of it must be discussed by "Securitade Maritima" which will give final approval – The pilot kindly offered to summon the committee so that a decision could be taken by the end of the week/ next week at the latest.

TERMINAL DOCKING

Both the pilot and the Terminal Director informed us that this docking is not possible for 275-meter vessels – Considering the meeting 6 years ago, the Terminal Director informs us that perhaps he had managed to get a waiver for MSC Lirica but since the ship was moved, they had no further demands.

MSC, ECF No. 202-51 at 3, 4

Havana Container Terminal Feasible and Available

CONTAINER TERMINAL

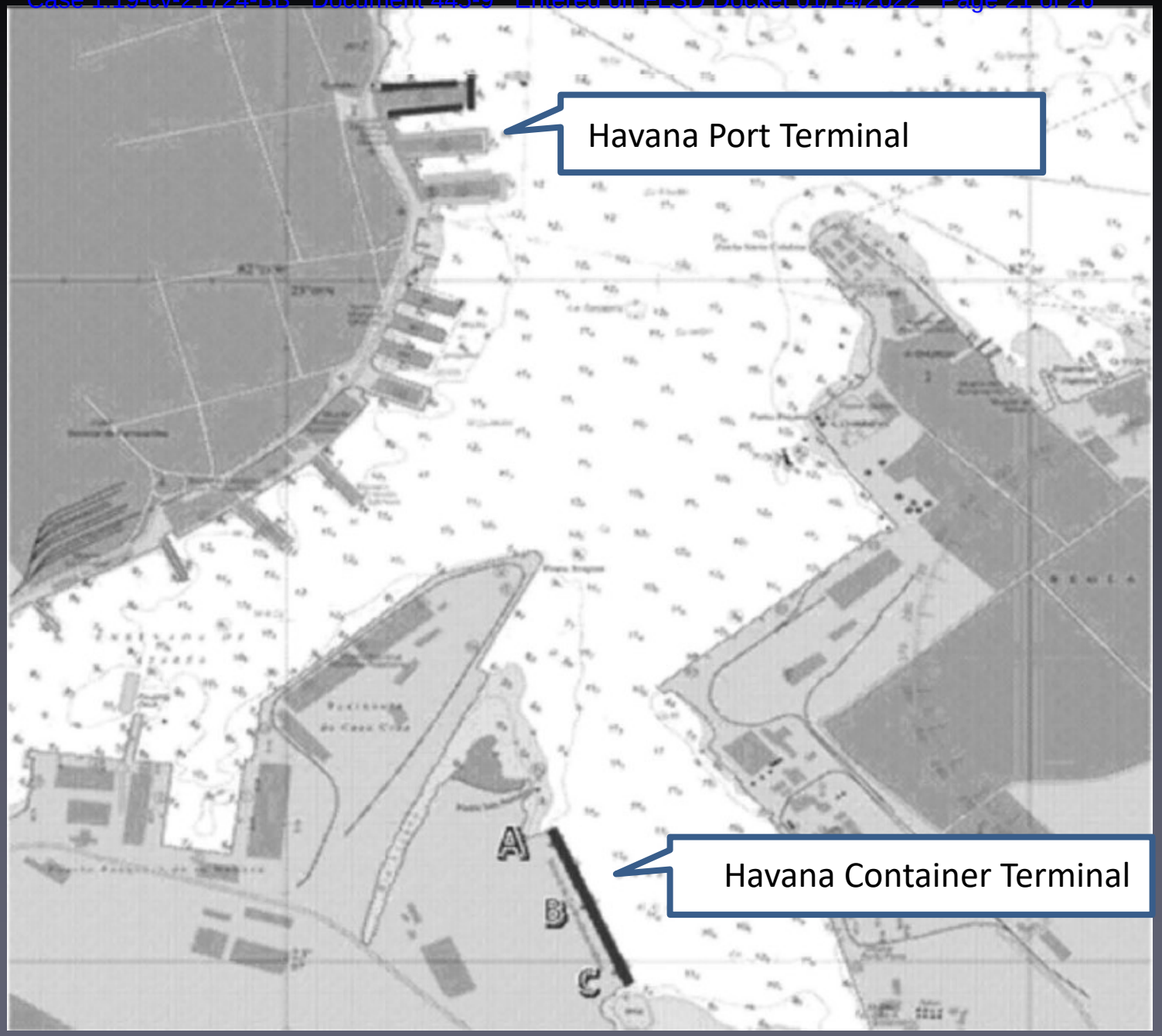
The alternative would be the terminal dock located at the Ensenada de Guasabacoa. The dock is available whenever we want, from Sundays to Tuesdays in 2015-2016 and from Fridays to Sundays in 2016-2017 and in 2017-2018. We would be the first ones to request it but there is another shipowner that made a request for a 288-meter vessel and also for a 325-meter vessel.

The dock is a good dock with good fenders and adequate bollards for our vessel. The dock is 2 meters high and therefore there are no issues for our ship.

The following services should be planned for at this dock:
Shuttle busses (at least 10) from and to the city, which should not interfere with excursions
Building a tensile structure or light building that could still withstand tropical storms – The tensile structure must have passenger and baggage screening facilities as well as immigration controls for landing – We're thinking that a 20 by 50 size should be more than enough

Please be advised that Crane (A) cannot be moved but Crane (B) may be moved closer to Crane (C) so that a space of more than 300 meters is available on the dock.

MSC, ECF No. 202-51 at 6



MSC, ECF No. 202-51 at 5

Havana Container Terminal

MSC, ECF No. 202-51 at 7

MSC Confirms Intent to Operate at Havana Container Terminal

MSC

Geneva, May 28, 2015

Mr. Rodrigo Malmierca Diaz
Minister of Foreign Trade and Foreign Investment
Infanta No. 16,
Havana
Republic of Cuba

Dear Minister,

I deeply appreciate your courteous availability towards our Group during the meeting held last May 21 at your Ministry and with your honorable presence.

Following up on this meeting, I wish to confirm our firm intention to position our MSC Opera cruise ship (with a maximum capacity of 2,650 passengers, 275 m in length and gross tonnage of 65,000 tons), with home port in Havana and with the following international itinerary, in Cuba as from the next winter season 2015-2016:

Havana (3 days/2 nights) – Jamaica - Grand Cayman – Cozumel - Havana

I also confirm our intention to provide for the construction of a temporary cruise terminal at Havana's TCH Container Terminal dock, already in operative condition for the first call on December 19, 2015 of our MSC Opera cruise ship.

I also inform you that we are already negotiating with the main airlines and charter companies to be able to guarantee the transportation of the 2,500 weekly passengers from Europe, Canada and South America.

On the other hand, we have already begun joint negotiations with the CUBANACAN group to organize all land operations, including airport and port assistance, transportation, excursions, hotel stays, pre and post cruise tours.

I ratify the need to overcome the obstacle of the Tourist Card which is currently valid for only one entry and one exit from the country. In consideration of our itinerary, we need your valuable support to allow MSC Opera cruise passengers to enter the country through the airport, depart on board our ship and finally return to the port and final departure by plane with a single card.

It is with great satisfaction, Mr. Minister, that I inform you that we are ready to start our operations and all the personnel and departments involved in the Company, both in our headquarters in Geneva and in our operational, commercial and marketing offices around the world, are ready to start this important endeavor.

In view of the above, I would like to request your prompt attention to our pressing need to receive a final answer that will allow us to immediately activate the commercialization of the new and prestigious MSC Opera itinerary with home port in Havana, as well as to organize the different operational aspects.

Sincerely yours, receive my best regards

[Illegible signature]
Pierfrancesco Vago
Executive Chairman

I also confirm our intention to provide for the construction of a temporary cruise terminal at Havana's TCH Container Terminal dock, already in operative condition for the first call on December 19, 2015 of our MSC Opera cruise ship.

MSC, ECF No. 218-36 at 4-5

MSC Ratifies that the Havana Port Terminal is the "Optimal Solution" and "Ideal Structure"

MSC

Geneva, June 1, 2015

Ministry of Transportation
Ave. Boyeros esq. Tulipán
Plaza de la Revolución
Havana
Republic of Cuba

Attn:
Minister of Transportation
César Arocha Macid

Cc:
Vice Minister of Transportation
Eduardo Rodríguez Dávila

Dear Minister:

I wish to inform you that following up on the kind conve
Transportation, regarding the technical inspection for the r
this will take place next Thursday, June 4, with the prese
purpose:

- Captain Luigi Pastena - Port Captain, Port Operations Manager - MSC Cruisetech
- Mr. Wim Welvaarts - Program Manager Terminal Infrastructure - TIL Group.

Norberto Perez del Toro, General Manager of Aries S.A., has already been contacted to evaluate the current situation of the infrastructure and the necessary improvement actions for the berthing of our cruise ship.

We believe that a detailed technical report with the pertinent information w
to you as soon as possible.

I take this opportunity to inform you that we are confident that the works a
temporarily measurable, which will allow the Terminal to be operational be
the arrival of our MSC Opera ship. As already anticipated, we ratify that t
solution and the ideal structure for our cruise operation.

At the same time, in the event of difficulties that may cause delays in the op
2015, we reconfirm our full availability to also carry out the tensioning stru
dock, while awaiting the full availability of the Sierra Maestra 1 Terminal.

In this regard, I would like to inform you that we have evaluated the solu
2,000 sq.m. that we consider easily transportable - in any case of ade
requirements - and with greater adaptability also in anticipation of a succe
and disembarkation in your country.

I would like to reiterate my request to receive within this week your k
prestigious operation of our MSC Opera cruise ship next December 19, co
the start of this year's operations, forcing us to delay our operation for a w
interest of all.

I look forward to hearing from you and remain at your service for any furthe

Sincerely yours, receive my best regards

[Illegible signature]
Pierfrancesco Vago
Executive Chairman

I wish to inform you that following up on the kind conversation with Mr. Eduardo Rodriguez Davila, Vice Minister of Transportation, regarding the technical inspection for the modernization works of the Sierra Maestra 1 Cruise Terminal, this will take place next Thursday, June 4, with the presence of our representatives who will be in Havana for that purpose:

I take this opportunity to inform you that we are confident that the works at the Sierra Maestra 1 Cruise Terminal will be temporarily measurable, which will allow the Terminal to be operational before December 19, 2015, on the occasion of the arrival of our MSC Opera ship. As already anticipated, we ratify that the Sierra Maestra 1 Terminal is the optimal solution and the ideal structure for our cruise operation.

At the same time, in the event of difficulties that may cause delays in the operation planned for the month of December 2015, we reconfirm our full availability to also carry out the tensioning structure at the Havana Container Terminal TCH dock, while awaiting the full availability of the Sierra Maestra 1 Terminal.

In this regard, I would like to inform you that we have evaluated the solution of a tensile structure of approximately 2,000 sq.m. that we consider easily transportable - in any case of adequate dimensions to meet the operational requirements - and with greater adaptability also in anticipation of a successive use in other operations of embarkation and disembarkation in your country.

MSC, ECF No. 218-37 at 5-6

Joint Inspection: Havana Container Terminal is Feasible

MSC

Geneva, June 9, 2015

Attn:
Minister of Transportation
Cesar Arocha Macid
Ministry of Transportation
Havana
Republic of Cuba

cc: Lazaro Manuel Gonzalez Marrero
Minister of Tourism

cc: Rodrigo Malmierca Diaz
Minister of Foreign Trade and Foreign Investment

cc: Eduardo Rodriguez Davila
Vice Minister of Transportation

Dear Minister:

As anticipated in my last letter of last June 1 - and following u
that in ratification of our Group's intention to operate our
inspection to the maritime port infrastructures of the Cruise
been carried out on June 5 and 6, with the participation of the

- Eng. Norberto Perez del Toro - Aries S.A. - General Dire
- Mrs. Odalys Alvarez Dominguez - Aries S.A.- Commerci
- Captain Luigi Pastena - MSC Cruisetech - Manager Port
- Mrs. Maelys Espinosa - Mapor S.A.- Line Manager
- Mr. Wim Welvaarts - TIL- Program Manager Termi

At the conclusion of the meetings, discussions, analyzed docu
use the Sierra Maestra 1 Cruise Terminal, without the need for additional work at this time for the berthing of the MSC Opera cruise ship (with a maximum capacity of 2,650 passengers, 275 m long and gross tonnage of 65,000 tons) and also, as a second option, the TCH Container Terminal, which requires minor work for the temporary installation of the proposed tensile structures.

As anticipated in my last letter of last June 1 - and following up on my communications dated May 28 and 22 - I wish to inform you that in ratification of our Group's intention to operate our MSC Opera cruise ship, as of December 2015, the joint technical inspection to the maritime port infrastructures of the Cruise Terminal Sierra Maestra 1 and Havana Container Terminal TCH has been carried out on June 5 and 6, with the participation of the corresponding managers and technicians:

- Eng. Norberto Perez del Toro - Aries S.A. - General Director
- Mrs. Odalys Alvarez Dominguez - Aries S.A.- Commercial Management Specialist
- Captain Luigi Pastena - MSC Cruisetech - Manager Port Captain
- Mrs. Maelys Espinosa - Mapor S.A.- Line Manager
- Mr. Wim Welvaarts - TIL- Program Manager Terminal Infrastructure

At the conclusion of the meetings, discussions, analyzed documentation and technical visits, it was concluded that it is feasible to use the Sierra Maestra 1 Cruise Terminal, without the need for additional work at this time for the berthing of the MSC Opera cruise ship (with a maximum capacity of 2,650 passengers, 275 m long and gross tonnage of 65,000 tons) and also, as a second option, the TCH Container Terminal, which requires minor work for the temporary installation of the proposed tensile structures.

MSC, ECF No. 218-23 at 4

Securidad Maritima Authorizes MSC to Call at the Havana Container Terminal

From: Wim Welvaarts [WWelvaarts@tilgroup.com]
Sent: 6/15/2015 10:57:19 AM
To: Pastena Luigi [lpastena@mscctd.it]; Verrenti Eva [eva.verrenti@msccruises.com]; Vago Pierfrancesco [pierfrancesco.vago@msccruises.com]; Onorato Gianni [gianni.onorato@msccruises.com]
CC: La Scala Emilio [elascala@mscctd.it]; Maelys Espinosa Alvarez-Buylla (maelys.espinosa@mapor.cu) [maelys.espinosa@mapor.cu]; Vikram Sharma [VSharma@tilgroup.com]; Kenneth Peire [KPeire@tilgroup.com]
Subject: RE: Meeting Cuba
Attachments: 150615 Sierra Maestra No 1 - draft Final Findings Report.docx; 150615 Appendix C - GA with design vessels.pdf

Dear Mr. Vago, Capt. Pastena,

Please find attached the word file of the draft final Findings Report together with the General Arrangement drawings as included in Appendix C of the said report.

Conclusions;

- Sierra Maestra No.1
  Should MSC Cruises receive authorisation from Seguridad Maritima to call at Sierra Maestra No.1 – Banda Norte, it is likely not feasible to complete the construction of the proposed breasting- and mooring dolphins before start of operations mid December 2015. However it may be that mooring of MSC Lyrica class (Port side) from December 2015 to April 2016 is feasible without these additional structures. This will be investigated in more detail the coming period by means of a.o. a mooring study.

Container Terminal Havana
MSC Cruises has received authorisation to call at THC (Havana Container Terminal) from Seguridad Maritima. The condition of the terminal seems ok and the same is very likely to be ready for operations by 19 December 2015. The quay is in sufficient condition and minor works may need to be done for the foundation of the proposed tent structure.

MSC, ECF No. 202-52 at 2, 23-24