

In the United States Bankruptcy Court

Case #: 25-10606 (LSS)

Docket #: 512

Leisure Investment Holdings, et al.

Re: Objection to the Bidding Process

2025 OCT 23 A 10:34

CLERK
U.S. BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA

Oct 20, 2025

Dear Honorable Judge Silverstein,

I am objecting to the bidding process for the asset known as Marineland Dolphin Adventures for the following reasons.

I am part of a community coalition of experienced dolphin professionals backed by a private family fund was blocked from bidding on this dolphin habitat in the auction that took place on Oct. 13, 2025. **We are the only team diligently working to keep these dolphin families together in their familiar home with their dedicated caretakers.**

The auction company, Greenhill, hired by the bankruptcy management firm, Riveron, blocked us from bidding despite the fact that we had been reassured in writing by Riveron representative Mike Flynn, on Saturday, Oct 1 (two days before the Monday auction), that we were considered bidders. Mr. Flynn assured us that even though we were late they would work with us because they wanted the dolphins to stay in place.

Mr. Flynn knew that we were late to the process because our previous funder had backed out at the last minute and we had miraculously obtained a new funder 3 days later. He indicated they would work with us to get the paper work done, presumably after the auction if necessary.

The auction company Greenhill, knew of our intent to bid and was in communication with our funders, so that they could submit as much earnest money as banks would allow on such short notice. Our funders submitted \$25,000 immediately to the account specified by Greenhill, with the plan to send the remaining balance once the banks opened again on Tuesday. The auction took place on a federal holiday, Columbus Day on Monday, Oct 13, making it impossible to send any sooner.

After our funders submitted their initial deposit, Greenhill notified us on Sunday that they would not give us access to the auction. We shared with them, the email from Mr. Flynn saying we were bidders, figuring since Riveron had hired Greenhill and surely they would take notice of his statement to us. Greenhill still denied us access to the auction. We asked that the auction be paused until this conflict had been resolved. They proceeded anyhow.

I am submitting to you the following written email (see attached screenshots) by Mr. Flynn indicating we were bidders.

From Michael Flynn on Saturday, Oct 11, 2025 (2 days before the auction): "We are unable to push the auction and the only bidders at the auction are real estate bidders, we are willing to let you bid even though they are late to the party and we will keep the animals there so that you can have them, which is what we are saying, we can't spend the time to go through an asset, purchase agreement and a transition services agreement, considering the timeframe before the auction, I don't even know if attorneys have been included on anything on your side yet. We want them as a bidder and want the animals to stay. If you win, then you have to act fast and in good faith to get a USDA license. If y'all are willing to do that, we will work with you, maybe something is being lost in translation between the brokers"

Your honor, we believe:

The Value of Marineland CANNOT be measured in dollars alone. Marineland holds a unique and irreplaceable place in human culture and marine sciences.

- Please see the attached **Community Impact Statement (CIS)** with critical points about these topics to be presented to Judge Silverstein.

This CIS includes Marineland's renown history as verified by its official listing on the **National Register of Historic Places** for Marineland's significance in American history, architecture, and culture.

Listing Date: April 14, 1986

Reference Number: 86000831

Historic Name: Marine Studios

Current Name: Marineland Dolphin Adventure

- Also see the attached **Science Impact Statement (SIS)** with an overview of the vast amount of scientific research that has taken place at Marineland. These value of the scientific breakthroughs at Marineland cannot be overstated.
- **Marineland is famous for the remarkably long lives of dolphins living in the facility.** We are preparing these details for you in an **Animal Impact Statement (AIS)** which we will have for you in the next 48 hours. Marineland is in good standing with the USDA regulatory agency.

The dolphins living at Marineland are best served by staying in their current home. There is little space for all of these dolphins to be moved to other dolphin habitats within the United States.

The pending closures of two other Leisure Investment Holdings/The Dolphin Company properties, the Miami Seaquarium and Dolphin Connection in the Florida Keys, as part of the bankruptcy proceedings forcing the removal of 24 dolphins, has already created a very difficult situation finding room for all these dolphins within the United States.

It is important to note that even though federal regulations will allow extremely high density housing of dolphins, no one of good conscience would do that. Everyone from dolphin trainers, to veterinarians, to public spectators would be horrified to see dolphins packed in at the levels which current regulations allow, as it would be a great detriment to the dolphins wellbeing.

Therefore, **industry experts attempting to help find homes for these 24 dolphins are already greatly concerned about adding to the problem with a forced relocation of the 17 Marineland dolphins.**

In closing, we believe these issues are compelling reasons for the court to look beyond the immediate financial interests the lenders and real estate developers. Our nonprofit coalition, headed up by experienced & former Marineland park manager, Felicia Cook, and dolphin researcher, Jack Kassewitz, and keep the current trainers, veterinarians, and other staff, resulting in the safest outcome for the dolphins and the preservation of this historic site.

Sincerely,

Jack Kassewitz

Jack Kassewitz

**IN THE UNITED STATES BANKRUPTCY COURT
CASE NO. 25-10606**

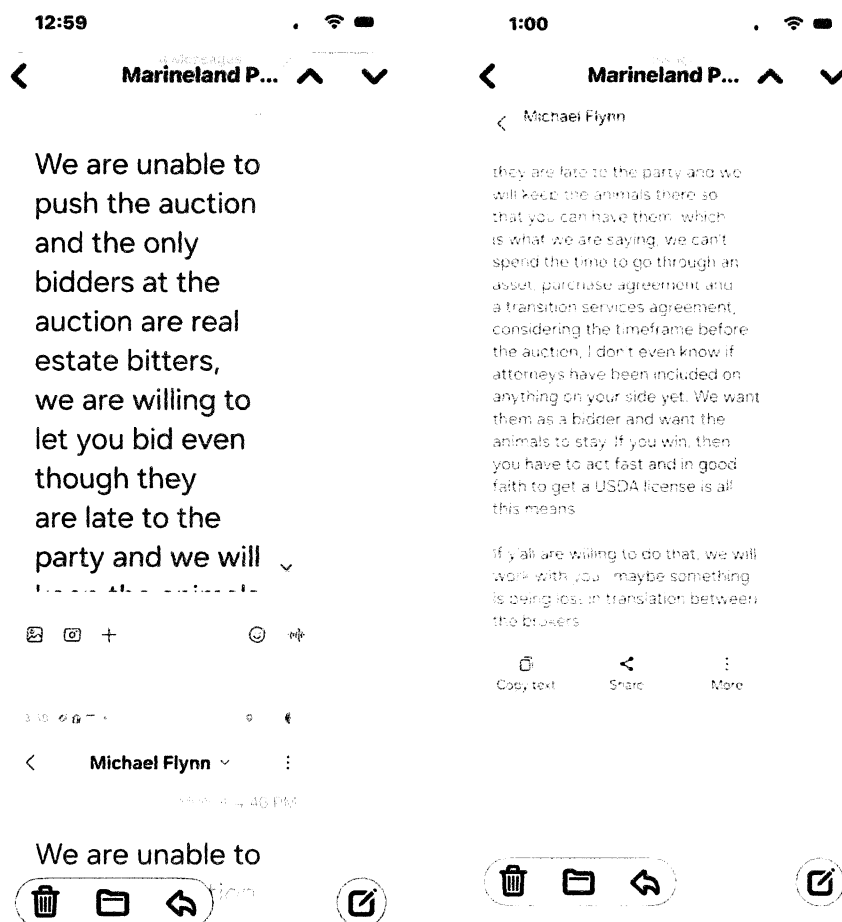
Docket No. 512

LEISURE INVESTMENT HOLDINGS, et al

→ OBJECTION TO THE BIDDING PROCESS

**To the Honorable Judge Laurie S Silverstein,
From: Jack Kassewitz speakdolphin@mac.com**

Michael Flynn, a senior representative of Riveron, informed me via text message (as detailed below) that we were among the bidders for the auction. See screenshots of his October 11th email to us below.



willing to work with us. And they want for us to be a bidder and for the animals to stay where they are.

He stated that maybe something was being lost in translation between the brokers and that Barbara and Jon should receive a zoom invite to the auction.

The eyes of the public are watching this transaction closely and will base all actions on what is best for the animals.

Given the significance of this conflict, we respectfully request that the auction be postponed until this issue is resolved to the satisfaction of all parties.

Respectfully,

Felicia Robinson Cook

After Michael Flynn sent us the above "you are a bidder" we received this.

----- Original message -----

From: "Greecher, Sean" <sgreecher@ycst.com>

Date: 10/12/25 5:16 PM (GMT-05:00)

To: fcook66 <fcook66@yahoo.com>, Barbara Rubel <brubel@msnllc.com>, "Kowalski, Chris" <Chris.Kowalski@greenhill.com>, "Geizhals, Charles" <charles.geizhals@greenhill.com>, Jack KASSEWITZ <speakdolphin@me.com>

Cc: GHL-Project Dorsal <ProjectDorsal@greenhill.com>, Dolphin_YCST <DolphinYCST@ycst.com>, Jon Rubel <jfrubel@att.net>, Michael Flynn <michael.flynn@riveron.com>

Subject: Re: Marineland Property

Ms. Cook - I just spoke with Riveron. Your statement is inaccurate or misinformed. Again - the Bid Procedures inform parties as to the requirements to be named a Qualified Bidder - not the least of which is a binding, irrevocable purchase agreement.

I understand that bankruptcy proceedings may be confusing - which is why our team has urged you to have your counsel contact us. Do you have a contact that I can reach out to?

In response, I drew attention to the discrepancy between the information they had provided me and written communication from a Riveron representative.

"Sean,

With all due respect, we have received written communication from a Riveron representative that contradicts the information you are currently presenting.

I ask that the court void this bidding process before it for the reasons listed above until an inclusive and legitimate bidding process for all that want to save Marineland. Can be held.

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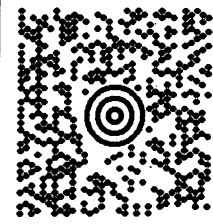
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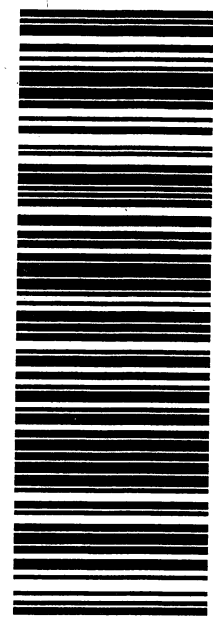
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