

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

TIARA YACHTS, INC.,

Plaintiff,

Case No. 1:22-cv-00603-RJJ-RSK

v.

Hon. Robert J. Jonker

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Mag. Judge Ray Kent

Defendant.

**JOINT STIPULATION REGARDING WITHDRAWAL
OF PLAINTIFF'S MOTION TO COMPEL**

Plaintiff Tiara Yachts, Inc. ("Tiara Yachts") and Defendant Blue Cross Blue Shield of Michigan ("BCBSM"), by and through their attorneys, stipulate and agree as follows:

1. On January 28, 2026, Tiara Yachts filed a motion to compel discovery from BCBSM, ECF No. 124. That motion is currently scheduled for hearing on April 14, 2026.
2. Since that date, the parties have worked extensively and collaboratively to resolve the issues raised in Tiara Yachts' motion. As a result of their discussions, the parties have reached the following resolution:
 - a. The parties have agreed on the data fields to be used for production of claims data by BCBSM to Tiara Yachts in response to RFP #1. Those fields are memorialized in an Excel spreadsheet that Tiara Yachts sent to BCBSM on April 4, 2026. BCBSM agrees to produce claims data by April 30, 2026.
 - b. The parties have agreed that BCBSM shall produce documents from the BCBSM production in the *Comau* case that are responsive to the Wegner-related categories in Tiara Yachts' document requests, including Comau-related

arbitration and litigation documents; communications between/among the “high-impact workgroup;” and internal presentations, guidebooks, or other materials related to Payment Integrity, flip-logic, and similar systems, on or before April 30, 2026.

- c. BCBSM will make a substantial initial production of the documents it has already collected through its internal custodial search by April 30, 2026. Included in this production from the documents that BCBSM has already collected shall be documents responsive to RFP #'s 3-5, and 9-22 that relate or apply to Tiara Yachts, even if Tiara Yachts is not specifically mentioned in the documents, without date limitation. The parties understand and acknowledge that the April 30, 2026, production will not be final, but rather the start of a “rolling” document production from the documents that BCBSM has collected from its internal custodians that are responsive to RFP #'s 3-5, and 9-22. Tiara Yachts does not agree that BCBSM has done an adequate initial search for documents, nor does it agree that the contemplated production will resolve this issue. Tiara Yachts, however, will review the initial production and raise any further concerns with BCBSM thereafter. The Parties agree that this stipulation does not resolve any disputes concerning the subject requests for production.
- d. The parties will continue to work to resolve BCBSM’s responses to Tiara Yachts’ Interrogatories, and agree to address BCBSM’s interrogatory responses following BCBSM's document production.

3. Given the parties' agreement on the issues described above, Tiara Yachts hereby withdraws its motion to compel. Tiara Yachts reserves the right to re-file its motion if BCBSM fails to satisfy the commitments memorialized in this stipulation.

STIPULATED AND AGREED.

VARNUM LLP

Dated: April 14, 2026

By: /s/ Perrin Rynders
Perrin Rynders (P38221)
Aaron M. Phelps (P64790)
Herman D. Hofman (P81297)
Justin M. Wolber (P85728)

Attorneys for Plaintiff/Counter-Defendant

ALLEN OVERY SHEARMAN STERLING
US LLP

Dated: April 14, 2026

By: /s/ Daniel Lewis (w/ permission)
Daniel Lewis (Adm. in W.D. MI, NY
Reg., 4084810)
Jeffrey D. Hoschander (Adm. in W.D. MI,
NY Reg. 4496337)
Todd M. Stenerson (P51953)

Attorneys for Defendant/Counter-Plaintiff

ZAUSMER, P.C.

Dated: April 14, 2026

By: /s/ Jason M. Schneider (w/ permission)
Mark J. Zausmer (P31721)
Michael A. Schwartz (P74361)
Nathan S. Scherbarth (P75647)
Jason M. Schneider (P79296)

Attorneys for Defendant/Counter-Plaintiff