

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIARA YACHTS, INC.,

Case No. 1:22-cv-603

Plaintiff/Counter-Defendant,

Honorable Robert J. Jonker

v.

Magistrate Judge Ray Kent

BLUE CROSS BLUE SHIELD OF MICHIGAN,

Defendant/Counter-Plaintiff.

PLAINTIFF/COUNTER-DEFENDANT'S MOTION TO COMPEL DEPOSITIONS

Plaintiff/Counter-Defendant Tiara Yachts, Inc. ("Plaintiff" or "Tiara Yachts"), through its attorneys, Varnum LLP, hereby moves this Court for an order compelling Defendant/Counter-Plaintiff Blue Cross Blue Shield of Michigan ("Defendant" or "BCBSM") to produce witnesses for in-person depositions on the earliest available dates, as determined by this Court. In support of this Motion, Plaintiff submits and incorporates the accompanying brief by reference.

Consistent with Fed. R. Civ. P. 37 and W.D. Mich. LCivR 7.1(d), Tiara Yachts' counsel conferred with BCBSM's counsel on September 10, 11, 14, and 15, 2025, regarding the scheduling of the depositions that are the subject of this present motion. BCBSM's counsel confirmed that it refuses to proceed with either of the depositions and is refusing to produce any witnesses for deposition at this time.

Accordingly, Plaintiff respectfully requests that the Court enter an Order (A) compelling BCBSM to produce witnesses for in-person depositions on the earliest available dates, as determined by this Court; (B) awarding Tiara Yachts' its costs and attorney fees incurred in

bringing this motion pursuant to Fed. R. Civ. P. 37; and (C) granting Tiara Yachts any other relief this Court deems equitable and just.

Respectfully submitted,

VARNUM LLP
Attorneys for Tiara Yachts, Inc.

Dated: September 15, 2025

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