

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

TIARA YACHTS, INC.,

Plaintiff,

v.

BLUE CROSS BLUE SHIELD OF MICHIGAN,

Defendant.

Civil Action No.: 1:22-cv-603

Judge: Hon. Robert J. Jonker

Magistrate Judge: Hon. Ray Kent

**DEFENDANT’S MOTION FOR PROTECTIVE ORDER REGARDING
PLAINTIFF’S PREMATURE DEPOSITION NOTICES**

EXPEDITED CONSIDERATION REQUESTED

Defendant Blue Cross Blue Shield of Michigan (“BCBSM”), through its undersigned counsel, moves under Fed. R. Civ. P. 26(c) for a protective order against two deposition notices that Plaintiff Tiara Yachts, Inc. issued only a few days after BCBSM filed a motion for protective order against Plaintiff’s overbroad, abusive written discovery requests. BCBSM makes this request for the reasons stated in its accompanying brief, which is fully incorporated here.

BCBSM seeks expedited consideration because the deposition notices Plaintiff issued arbitrarily scheduled the depositions for September 25 and 26, 2025. There is thus a significant risk that the relief requested will become moot before the Court reaches a decision on this motion.

Pursuant to W.D. Mich. LCivR 7.1, BCBSM’s counsel, Mark J. Zausmer, in good faith attempted to seek concurrence in the relief requested in this motion from Plaintiff Tiara Yachts’ counsel, Perrin Rynders, via emails on September 10 and 11, 2025. Mr. Rynders did not concur.

Respectfully submitted,

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Dated: September 15, 2025

Attorneys for Defendant

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

TIARA YACHTS, INC.,

Plaintiff,

v.

BLUE CROSS BLUE SHIELD OF MICHIGAN,

Defendant.

Civil Action No.: 1:22-cv-603

Judge: Hon. Robert J. Jonker

Magistrate Judge: Hon. Ray Kent

**BRIEF IN SUPPORT OF DEFENDANT'S MOTION
FOR PROTECTIVE ORDER REGARDING
PLAINTIFF'S PREMATURE DEPOSITION NOTICES**

EXPEDITED CONSIDERATION REQUESTED

CONCISE STATEMENT OF ISSUE PRESENTED

Should the Court enter a protective order where Plaintiff has issued deposition notices before any documents have been exchanged so it can continue the fishing expedition it started in its written discovery requests?

BCBSM Says: Yes

Plaintiff Says: No

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I. INTRODUCTION

Plaintiff recently served 74 discovery requests on BCBSM that were, in large part, overly broad, disproportionate to the needs of this case, and abusive. BCBSM served timely written responses that objected to Plaintiff's requests, but it also agreed to produce a significant amount of relevant information. BCBSM also filed a motion for protective order seeking protection from Plaintiff's improper requests. Four days later, the parties had an in-person meet-and-confer to discuss their discovery dispute, which they agreed was productive. But that afternoon, Plaintiff's counsel served two deposition notices—for a current employee and a former employee of BCBSM—that are scheduled for September 25 and 26. Plaintiff's counsel never mentioned these proposed depositions during the in-person meet-and-confer. It was bad faith for Plaintiff's counsel to be meeting with defense counsel on discovery issues while surreptitiously preparing deposition notices on the same issues being discussed.

While the Federal Rules of Civil Procedure permit parties to use discovery methods in any sequence, the deposition notices here are premature. There have been no documents exchanged to date, and the parties have a significant dispute over the appropriate scope of discovery. There is already a Motion for Protective Order on file related to Plaintiff's written discovery requests, and that motion has been referred to the magistrate. There is no urgency for these depositions as document discovery has not even begun, and it will not begin until the Motion for Protective Order is heard by the magistrate. Plaintiff can only intend to use these depositions either as a continuation of the fishing expedition it started with its written discovery requests or to harass BCBSM's employee and former employee.¹ Plaintiff's anticipated abuse of the discovery rules is precisely

¹ Plaintiff's counsel has litigated against BCBSM dozens of times, and seems intent on using this case to gather discovery to pursue other cases on behalf of other clients.

why protective orders are available, and BCBSM respectfully requests an order that would prevent Plaintiff from taking the noticed depositions before document discovery is complete.

II. FACTUAL BACKGROUND

A. Plaintiff's claims and factual allegations.

As alleged in Plaintiff's Complaint, Plaintiff sponsors a self-insured employee benefit healthcare plan (the "Plan"). ECF No. 1, PageID.1 ¶ 1. Plaintiff contracted with BCBSM to serve as the claims administrator for the Plan. *Id.* at PageID.3 ¶¶ 15, 17–18. To memorialize BCBSM's role, the parties signed a series of Administrative Services Contracts ("ASCs"), beginning in 2006. *Id.* at PageID.3 ¶ 17; *see* ECF No. 12-2. The ASC was renewed annually until it was terminated in December 2018. ECF No. 1, PageID.3 ¶ 17.

Plaintiff alleges that BCBSM improperly processed claims, which allegedly resulted in the Plan overpaying fees to healthcare providers. *See id.* at PageID.15-16 ¶¶ 101–08. According to Plaintiff, this either resulted from an "intentional" "systems flaw" called "flip logic," or from "common" processing errors. *See id.* at PageID.6-7, 15 ¶¶ 37–50, 102–03.

Plaintiff further alleges *possible* data deficiencies that *could be* present in Plaintiff's claims data maintained by BCBSM, but fails to allege any actual deficiencies. Specifically, Plaintiff claims that its "claims data *should* reflect all information necessary to ascertain whether a claim was properly processed and/or paid" and that, "[t]o the extent it does not, BCBSM's failure to collect and/or maintain such data would itself be a breach of fiduciary duty." *See id.* at PageID.13 ¶ 92 (emphasis added).

Finally, Plaintiff alleges that BCBSM engaged in prohibited transactions under ERISA and breached its fiduciary duties through a "Shared Savings Program." *See id.* at PageID.9-12 ¶¶ 70–85. The Shared Savings Program is a group health plan cost-savings program in which BCBSM contracted with and oversaw third-party vendors that adopted measures, including new

technologies, for preventing or clawing back overpayments to healthcare providers due to billing errors. ECF No. 1-6, PageID.52-54. BCBSM’s customers were automatically enrolled in the Shared Savings Program, but self-insured customers like Plaintiff were able to opt-out. *Id.* at PageID.53.

To cover the costs of these services, BCBSM used a “shared savings” model. ECF No. 1, PageID.10 ¶ 73; ECF No. 1-6, PageID.52. That is, BCBSM retained 30% of amounts saved for its customers. ECF No. 1, PageID.11 ¶ 80; ECF No. 1-6, PageID.57. If no amount was saved, however, no fee was charged to the customer. ECF No. 1-6, PageID.57. The terms of the Shared Savings Program, including the shared savings model, were disclosed in the parties’ ASC. *See* ECF No. 12-4, PageID.158 ¶ 1 (“On and after the effective date of the new Shared Savings Program . . . BCBSM will retain as administrative compensation a percentage of all funds recovered through subrogation efforts as set forth in Schedule A.”); ECF No. 12-5, PageID.161 ¶ 17 (“BCBSM will retain as administrative compensation 30% of the recoveries or cost avoidance[.]”).

Plaintiff alleges that the Shared Savings Program was a “scheme” specifically “devised” so that BCBSM could “profit” from purposely overpaying claims to providers. ECF No. 1, PageID.11-12 ¶¶ 84, 86. But the Complaint fails to allege that BCBSM recovered any overpayments on behalf of the Plan under the Shared Savings Program or received compensation under the Shared Savings Program with respect to the Plan.

Based on these allegations, Plaintiff asserts two causes of action. First, BCBSM allegedly breached its fiduciary duties to the Plan under ERISA. *Id.* at PageID.18-20 ¶¶ 105–09. Second, BCBSM allegedly engaged in prohibited transactions in violation of 29 U.S.C. § 1106. *Id.* at PageID.21 ¶¶ 110–15.

B. Plaintiff's premature deposition notices.

At issue in this motion are two premature deposition notices that Plaintiff issued on September 8, 2025. For context, on August 4, 2025, Plaintiff served 74 discovery requests on BCBSM. ECF No. 82-2. BCBSM agreed to provide some information in response to those requests, but the vast majority are objectionable. As described more fully in BCBSM's September 4, 2025 motion for protective order regarding those requests, Plaintiff seeks, among other things, 40 years' worth of communications between BCBSM and any provider regarding any alleged claim overpayments; every available document regarding an unrelated lawsuit from 2019; and information about every person who was responsible for implementing BCBSM's Shared Savings Program nearly 30 years ago. ECF No. 82, PageID.1328-1329.

BCBSM timely served its objections and responses to Plaintiff's discovery requests. In large part, BCBSM objected to Plaintiff's facially overbroad and abusive requests, and after a meet-and-confer with Plaintiff's counsel, BCBSM filed a motion for protective order on September 4, 2025. But BCBSM also agreed in its written responses to produce a significant amount of documents and information, including all of Plaintiff's electronic claims data from July 1, 2016 through April 16, 2021, which is the relevant time period for Plaintiff's claims.

Shortly after BCBSM filed its motion, on September 8, 2025, counsel for both sides met again to discuss an appropriate scope of discovery. Plaintiff's counsel expressed that if BCBSM produces Plaintiff's electronic claims data, it will be a good starting point for Plaintiff to reach an understanding as to how it can more accurately request relevant documents and information. Plaintiff's counsel further expressed that he would be moving to compel to frame the discovery dispute from Plaintiff's perspective, and Plaintiff has since filed its motion. Both sides agreed that the discussion had been productive and that, while no definite agreements were reached as to the

appropriate scope of discovery, there was at least a starting point for working collaboratively on discovery issues. The meeting started around 1:30 p.m. and ended around 2:15 p.m.

At no point during the parties' meet-and-confer did Plaintiff's counsel mention that he wanted to depose BCBSM employees or former employees before any documents are produced. Yet within hours of the meeting, Plaintiff's counsel issued two deposition notices to BCBSM's counsel. The first is a notice that Plaintiff intends to depose BCBSM's Director of Payment Integrity, Kimberly Jones-Schneider, on September 25, 2025. (**Ex. A**, Jones-Schneider Deposition Notice). The other is a subpoena directed to a former BCBSM employee, Jeff Baker, who previously worked under Jones-Schneider. (**Ex. B**, Baker Subpoena and Deposition Notice).

III. LEGAL STANDARD

Under Fed. R. Civ. P. 26(c), "[a] party or any person from whom discovery is sought may move for a protective order" when there is good cause for protection "from annoyance, embarrassment, oppression, or undue burden or expense." The Court "has broad discretion to grant or deny protective orders." *Lewis v. St. Luke's Hosp. Ass'n*, 132 F.3d 33, 1997 WL 778410, at *3 (6th Cir. 1997). This includes significant discretion to determine the type of protection to grant, which may include: "(A) forbidding the disclosure or discovery; (B) specifying terms, including time and place or the allocation of expenses, for the disclosure or discovery; . . . [and] (D) forbidding inquiry into certain matters." Critically, as with all methods of discovery, depositions are not appropriate if they are part "of [a] wide-ranging fishing expedition[]." *Tolliver v. Fed. Repub. of Nigeria*, 265 F. Supp. 2d 873, 880 (W.D. Mich. 2003).

IV. ANALYSIS

A. Plaintiff's notices are part of an impermissible fishing expedition.

The timing of Plaintiff's deposition notices is curious. There has not been a single document produced to date, not for any dilatory purpose but because retrieving even the documents BCBSM has agreed to produce is a time-consuming process that requires electronic searches across multiple internal databases that are stored in different locations. Moreover, the parties have significant disagreements regarding the appropriate scope of discovery here. BCBSM has already filed a motion regarding that discovery scope, and Plaintiff has filed a competing motion to compel.

While Fed. R. Civ. P. 26(d) permits discovery methods to be used in any sequence, common sense and ordinary practice dictate that depositions should occur *after* the exchange of relevant documents and information. This typical sequence leads to better-prepared attorneys and witnesses, and thus results in greater efficiency, as contemplated under Fed. R. Civ. P. 1's mandate that the Federal Rules should be "administered . . . to secure the just, speedy, and inexpensive determination of every action and proceeding." Allowing depositions to be taken before a single document has been produced is neither efficient nor just.

It is surprising that Plaintiff would even *want* to take depositions under the circumstances, given that BCBSM has yet to produce any documents related to Plaintiff's claims. But it is clear from Plaintiff's written discovery requests that its counsel is more interested in a fishing expedition than proper discovery (not to mention seeking irrelevant discovery to pursue claims against BCBSM on behalf of other clients). Given the scope of Fed. R. Civ. P. 30(c)(2), these early depositions could be used to seek information about BCBSM that is outside the scope of Plaintiff's claims and within the scope of BCBSM's various objections to Plaintiff's discovery requests. Other

than that, there cannot be any reason beyond harassment of potential witnesses that Plaintiff has for taking the noticed depositions.

This is precisely the type of “annoyance” and “undue burden or expense” that Fed. R. Civ. P. 26(c) was designed to protect against. Plaintiff should not be able to circumvent the parties’ existing dispute about the scope of discovery—which Plaintiff’s counsel has fully engaged in—and ask questions of current and former BCBSM employees that are not within the scope of permissible discovery. And Jones-Schneider and Baker should not be forced to have their depositions taken by an attorney whose preparation does not include document discovery that is relevant to his client’s case.

B. BCBSM may seek a protective order as to both notices.

BCBSM anticipates Plaintiff will argue that BCBSM lacks standing to seek a protective order with respect to the deposition subpoena issued to Jeff Baker, who is no longer a BCBSM employee and therefore a non-party to this lawsuit. Not so. Fed. R. Civ. P. 26(c) states that a “party” may move for a protective order under that Rule. Courts in the Western District of Michigan and throughout the Sixth Circuit regularly find, based on this plain language, that *parties* may seek protective orders under Rule 26(c), even with respect to discovery issued to nonparties. *See, e.g., Berkshire v. Hazel*, No. 1:19-cv-808, 2020 WL 13981736, at *1 (W.D. Mich. Sept. 4, 2020) (“This language permits a party to seek a protective order in response to discovery that another party seeks to serve on a non-party.”); *see also Doe v. Univ. of Pittsburgh*, No. 1:17-cv-213, 2017 WL 6503435 (W.D. Mich. Sept. 26, 2017); *Williams v. Eastpoint Cmty. Sch.*, No. 2:23-cv-12155, 2025 WL 1118579, at *1 (E.D. Mich. Apr. 15, 2025) (“Courts in the Sixth Circuit have interpreted the mention of ‘a party’ as allowing parties to file a motion for a protective order for a non-party.”). Thus, BCBSM may move under Fed. R. Civ. P. 26(c) to protect both its current *and* former

employee from the “annoyance” and “undue burden or expense” of having to prepare and sit for a deposition at this premature stage.

V. CONCLUSION

For the reasons stated in its brief, BCBSM respectfully requests that the Court grant its motion for protective order and prevent Plaintiff from deposing Kimberly Jones-Schneider and Jeff Baker before document discovery is complete. And because it is likely that Plaintiff will pursue other premature discovery depositions, BCBSM also requests that the protective order preclude Plaintiff from taking other depositions, absent good cause, before document discovery is complete.

Respectfully submitted,

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Dated: September 15, 2025

Attorneys for Defendant

EXHIBIT A

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIARA YACHTS, INC.,

Plaintiff,

v.

BLUE CROSS BLUE SHIELD OF MICHIGAN,

Defendant.

Case No. 1:22-cv-603

Honorable Robert J. Jonker

Magistrate Judge Ray Kent

NOTICE OF DEPOSITION OF KIMBERLY JONES SCHNEIDER

PLEASE TAKE NOTICE that pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure, the following deposition will be taken upon oral examination, before a certified court reporter having power to administer oaths, such deposition to continue until completed:

Deponent: Kimberly Jones Schneider

Date/Time: Thursday, September 25, 2025, at 9:00 a.m.

Place: ZAUSMER, P.C.
32255 Northwestern Hwy, S. 225
Farmington Hills, MI 48334

You are invited to attend the taking of this deposition and to participate in it in accordance with the applicable rules of the Federal Rules of Civil Procedure. This deposition will be recorded by a court reporter.

Respectfully submitted,

VARNUM LLP

Attorneys for Tiara Yachts, Inc.

Dated: September 8, 2025

By: /s/ Aaron M. Phelps

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EXHIBIT B

AO 88A (Rev. 12/20) Subpoena to Testify at a Deposition in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Michigan

TIARA YACHTS, INC,

Plaintiff

v.

BLUE CROSS BLUE SHIELD OF MICHIGAN

Defendant

Civil Action No. 1:22-cv-603-RJJ-RJK

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Jeff Baker
1699 North Lake Drive, Troy, MI 48083

(Name of person to whom this subpoena is directed)

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters:

Place: Varnum LLP
39500 High Pointe Blvd., Suite 350
Novi, MI 48375

Date and Time:
09/26/2025 9:00 am

The deposition will be recorded by this method: court reporter

☐ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 09/08/2025

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* Tiara Yachts, Inc., who issues or requests this subpoena, are:

Aaron M. Phelps, amphelps@varnumlaw.com T: (616) 336-6000 F: (616) 336-7000

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88A (Rev. 12/20) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. 1:22-cv-603-RJJ-RJK

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named individual as follows: _____
_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____
_____.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

TIARA YACHTS, INC.,

Plaintiff,

v.

BLUE CROSS BLUE SHIELD OF MICHIGAN,

Defendant.

Civil Action No.: 1:22-cv-603

Judge: Hon. Robert J. Jonker

Magistrate Judge: Hon. Ray Kent

INDEX OF EXHIBITS

Exhibit A. Jones-Schneider Deposition Notice

Exhibit B. Baker Subpoena and Deposition Notice