

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TIARA YACHTS, INC.,

Plaintiff,

v.

BLUE CROSS BLUE SHIELD  
OF MICHIGAN,

Defendant.

CASE No. 1:22-cv-603

HON. ROBERT J. JONKER

---

**ORDER AFFIRMING MAGISTRATE JUDGE’S DECISION**

This matter is before the Court on Plaintiff’s Appeal (ECF No. 112) from the Magistrate Judge’s Order that limited each party to thirty requests for production of documents under FED. R. CIV. P. 34. (ECF No. 109). Defendant has responded in opposition. (ECF No. 113). Because the Magistrate Judge’s decision was not clearly erroneous, the Court affirms the order of the Magistrate Judge.

In considering an appeal of a magistrate judge’s ruling on a nondispositive pretrial motion, the Court applies a “clearly erroneous or contrary to law standard of review.” *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001) (citing *United States v. Raddatz*, 447 U.S. 667, 673 (1980)); accord *Brown v. Wesley’s Quaker Maid, Inc.*, 771 F.2d 952, 954 (6th Cir. 1985) (citing 28 U.S.C. § 636(b)(1)(a)); see also FED. R. CIV. P. 72.2 (District judge must consider timely objections to nondispositive pretrial orders of magistrate judge and modify or set aside any part of order that is clearly erroneous or contrary to law.). A finding is “clearly erroneous” when “the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake

has been committed.” *Anderson v. City of Bessemer City, North Carolina*, 470 U.S. 564, 573 (1985) (quoting *United States v. United States Gypsum Co.*, 333 U.S. 364, 395 (1948)).

Rule 34 of the Federal Rules of Civil Procedures provides for the production of documents. But ultimately, Rule 26(b) governs the analysis. Under Rule 26(b)(1),

Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Information within this scope of discovery need not be admissible in evidence to be discoverable.

Weighing these factors, the Magistrate Judge did not clearly err in limiting the parties' requests for production of documents as he did. Indeed, the proportionality factors of Rule 26(b)(1) support the Magistrate Judge's decision. "The scope of discovery under the Federal Rules of Civil Procedure is traditionally quite broad." *Lewis v. ACB Bus. Servs. Inc.*, 135 F.3d 389, 402 (6th Cir. 1998). The scope also falls within the broad discretion of the court. *Id.* Rule 26 and the proportionality requirement "crystalizes the concept of reasonable limits on discovery through increased reliance on the common-sense concept of proportionality." *Helena Agri-Enters., LLC v. Great Lakes Grain, LLC*, 988 F.3d 260, 273 (6th Cir. 2021) (quoting C.J. Roberts, 2015 Year-End Report on the Federal Judiciary 6 (2015)). It is "the power—and *duty*—of the district courts actively to manage discovery and to limit discovery that exceeds its proportional and proper bounds." *Id.* (quoting *Noble Roman's, Inc. v. Hattenhauer Distrib. Co.*, 314 F.R.D. 304, 306 (S.D. Ind. 2016)).

At bottom, the Court sees no basis to disturb the Magistrate Judge’s decision limiting both sides to thirty requests for production of documents at this stage of the case. The Magistrate Judge did not clearly err in concluding as much.

**ACCORDINGLY, IT IS ORDERED** that the Magistrate Judge’s Order (ECF No. 109) is **AFFIRMED**.

Dated: November 12, 2025

/s/ Robert J. Jonker  
ROBERT J. JONKER  
UNITED STATES DISTRICT JUDGE