

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.

---

**SUPPLEMENT TO JOINT STATUS REPORT**

Plaintiff/Counter-Defendant Tiara Yachts, Inc. (“Plaintiff” or “Tiara Yachts”) and Defendant/Counter-Plaintiff Blue Cross Blue Shield of Michigan (“Defendant” or “BCBSM”), by and through their attorneys, submit the following supplement to the Joint Status Report filed on August 4, 2025, (ECF No. 75) to address the parties’ position on ADR, pursuant to the First Case Management Order (ECF No. 80), as follows:

**BCBSM’s Position:** BCBSM remains committed to engaging in facilitative mediation. Unanticipated delays with respect to producing claims data have made the original timeline proposed in the parties’ August 4, 2025, Joint Status Report (ECF No. 75) infeasible. Specifically, the parties have been unable, to date, to agree on the data fields to be included in the production of claims data. The parties continue to meet and confer on this subject. But BCBSM will be open to facilitative mediation once the parties have a chance to analyze Tiara Yachts’ claims data.

**Tiara Yachts’ Position:** Tiara Yachts also remains committed to engaging in facilitative mediation, but for that process to be productive BCBSM must first produce (if not voluntarily, through a Court Order) the underlying claims data and records responsive to pending discovery

requests for expert review. Tiara Yachts served its initial discovery requests on August 4, 2025, and submitted amended requests on October 23, 2025, asking for *all* claims data; BCBSM has yet to produce any claims data. Tiara Yachts expects to file a renewed motion to compel discovery in the coming weeks and may be forced to seek revised expert disclosure deadlines (currently set for February 28, 2026); facilitative mediation would have to take place thereafter.

Dated: December 31, 2025

By: /s/ Perrin Rynders

VARNUM LLP  
Perrin Rynders (P38221)  
Aaron M. Phelps (P64790)  
Herman D. Hofman (P81297)  
Justin M. Wolber (P85728)  
Bridgewater Place, P.O. Box 352  
Grand Rapids, MI 49501-0352  
prynders@varnumlaw.com  
amphelps@varnumlaw.com  
hdhofman@varnumlaw.com  
jmwolber@varnumlaw.com

*Attorneys for Plaintiff/Counter-Defendant*

By: /s/ Mark J. Zausmer (w/ consent)

ZAUSMER, P.C.  
Mark J. Zausmer (P31721)  
Jason M. Schenider (P79296)  
32255 Northwestern Hwy., Suite 225  
Farmington Hills, MI 48334  
mzausmer@zausmer.com  
jschneider@zausmer.com

*Attorneys for Defendant/Counter-Plaintiff*

By: /s/ Daniel Lewis (w/ consent)

ALLEN OVERY SHEARMAN STERLING US  
LLP  
Daniel Lewis  
599 Lexington Avenue  
New York, NY 10022  
Daniel.lewis@aoshearman.com

*Attorneys for Defendant/Counter-Plaintiff*