

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WESCO, INC., and WESCO, INC.
CAFETERIA PLAN AND
EMPLOYEE BENEFIT PLAN, on
behalf of themselves and a class of
all others similarly situated

Case No. 2:25-cv-11712
Hon. Susan K. DeClerq
Mag. David R. Grand

Plaintiffs,

v.

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

****EXPEDITED CONSIDERATION REQUESTED****

**DEFENDANT BLUE CROSS BLUE SHIELD
OF MICHIGAN'S MOTION TO EXTEND ANSWER DEADLINE**

Defendant Blue Cross Blue Shield of Michigan ("BCBSM") hereby moves to extend the deadline for responding to Plaintiffs' Complaint. In support of its motion, BCBSM states:

1. Plaintiffs initiated this case less than a month ago, on June 9, 2025, by filing a 42-page, 157-paragraph Complaint that purports to be a class action.
2. The length of the Complaint reflects a series of detailed allegations related to complex programs and systems within BCBSM.

3. Moreover, Plaintiffs' counsel previously filed a case in the U.S. District Court for the Western District of Michigan, which BCBSM is answering on July 7, 2025, the same date a response is currently due in this case. Indeed, Plaintiffs' Complaint refers to this other case on multiple occasions. *See, e.g.*, ECF No. 1, ¶¶ 38, 47, 49, 53, 55, 56, 83, 87, 111, 132, 140, and 146.

4. Given the complexities of this case, on top of the inherent complexities of a class-action lawsuit, BCBSM needs more than 21 days to respond to Plaintiffs' Complaint, and good cause exists for a short extension of BCBSM's deadline to respond to Plaintiffs' Complaint.

5. BCBSM requested that Plaintiffs stipulate to an extension, but Plaintiffs refused to grant this standard, reasonable request for a professional courtesy. (Ex. A).

WHEREFORE, BCBSM respectfully requests that the Court enter an order extending BCBSM's time for filing a response to Plaintiffs' Complaint from July 7, 2025 to August 7, 2025.

Respectfully submitted,

s/ Mark J. Zausmer

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Dated: July 2, 2025

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**BRIEF IN SUPPORT OF
DEFENDANT BLUE CROSS BLUE SHIELD
OF MICHIGAN'S MOTION TO EXTEND ANSWER DEADLINE**

CONCISE STATEMENT OF THE ISSUES PRESENTED

1. Should the Court extend the time for BCBSM to respond to Plaintiffs' purported class-action Complaint, considering the complexities of Plaintiffs' allegations and the potential impact on a related (non-class action) lawsuit?

BCBSM says: Yes.

Plaintiffs say: No.

CONTROLLING AUTHORITY

- Fed. R. Civ. P. 6(b)(1)(A)

I. INTRODUCTION AND BACKGROUND

Plaintiffs initiated this case less than one month ago by filing a 42-page, 157-paragraph Complaint, purportedly on behalf of a class of similarly situated persons. ECF No. 1. Moreover, according to Plaintiffs' allegations, this purported class-action lawsuit relates to a case that Plaintiffs' counsel previously filed in the U.S. District Court for the Western District of Michigan. ECF No. 1, ¶¶ 38, 47, 49, 53, 55, 56, 83, 87, 111, 132, 140, and 146. Thus, to appropriately respond to Plaintiffs' Complaint, BCBSM must analyze not only Plaintiffs' extremely detailed allegations, but also how this case—as a purported class action—relates to an earlier-filed case that Plaintiffs effectively admit is related to this one.

II. LEGAL ANALYSIS

Under Federal Rule of Civil Procedure 12(a)(1)(A)(i), a “defendant must serve an answer . . . within 21 days after being served with the summons and complaint.” But where, as here, a party requests an extension before this deadline expires, the court may extend the deadline “for good cause” under Federal Rule of Civil Procedure 6(b)(1)(A).

There is ample good cause to grant BCBSM an extension here. Purported class actions are inherently complex, and Plaintiffs' Complaint adds layers of complexity that will require more than the standard 21 days for a response. Ordinarily, BCBSM would expect that a request for more time under similar circumstances would be

granted as a matter of professional courtesy. But that has not happened here, despite that Plaintiffs cannot articulate any form of prejudice from a brief delay in this nascent case. (Ex. A).

BCBSM anticipates that Plaintiffs will argue that BCBSM cannot establish good cause because its motion does not describe the specific steps BCBSM has taken in preparing its response to Plaintiffs' Complaint. Setting aside that BCBSM does not ordinarily disclose protected attorney work product in public court filings, there is no need for such specificity here. BCBSM's request is reasonable under the circumstances described in its motion and brief, and good cause plainly exists for a brief extension of time to respond to Plaintiffs' Complaint.

III. CONCLUSION

Given the circumstances of this case, BCBSM respectfully requests that the Court grant its motion for an extension of time to respond to Plaintiffs' Complaint from July 7, 2025 to August 7, 2025.

Respectfully submitted,

s/ Mark J. Zausmer

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