

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

SAGINAW CHIPPEWA INDIAN
TRIBE AND ITS EMPLOYEE
WELFARE PLAN,

Case No. 16-cv-10317

Honorable Thomas L. Ludington

Plaintiffs,

Mag. Judge Patricia T. Morris

v.

BLUE CROSS BLUE SHIELD OF
MICHIGAN,

Defendant.

**STIPULATED ORDER REGARDING COUNTS I, IV, AND VI OF
PLAINTIFFS' AMENDED COMPLAINT**

The parties, by and through their respective counsel, having stipulated and agreed to the below, the Court hereby orders as follows:

IT IS HEREBY ORDERED that Counts I, IV, and VI of Plaintiffs' Amended Complaint (Doc. #7) are reinstated insofar as those Counts assert claims related to Medicare-Like Rates ("MLR"). Specifically, Count I is reinstated regarding claims related to MLR for insurance coverage for employees of the Tribe ("Employee Policy"), and Counts IV and VI are reinstated regarding claims related to MLR for tribal members ("Member Policy").

IT IS FURTHER ORDERED that BCBSM shall file its answer/affirmative defenses to, and/or a motion seeking to dismiss Counts I, IV and VI on or before **January 29, 2019**, with the Local Rules thereafter governing the briefing schedule;

IT IS FURTHER ORDERED that by stipulating to the entry of this Order, no party shall be deemed to have waived any arguments or legal positions; and

IT IS FURTHER ORDERED that a new scheduling order shall be entered after a decision is entered on the above-referenced motion to dismiss and a status conference held.

IT IS SO ORDERED.

Dated: January 4, 2019

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Stipulated as to form and entry:

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Date: December 19, 2018

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