UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

BORROUGHS CORPORATION et al

Plaintiffs,	
v.	Case No: 11-12565 Honorable Victoria A. Roberts
BLUE CROSS BLUE SHIELD OF MICHIGAN,	
Defendant/	
FLEXFAB HORIZONS INTERNATIONAL, INC. et al,	
Plaintiffs,	
V.	Case No: 11-14213 Honorable Victoria A. Roberts
BLUE CROSS BLUE SHIELD OF MICHIGAN,	Honorable victoria A. Roberts
Defendant/	
AMERICAN SEATING COMPANY et al,	
Plaintiffs,	
v.	Case No: 11-14326 Honorable Victoria A. Roberts
BLUE CROSS BLUE SHIELD OF MICHIGAN,	
Defendant/	
GREAT LAKES CASTINGS LLC et al,	
Plaintiffs,	
V.	Case No: 11-14328 Honorable Victoria A. Roberts

BLUE CROSS BLUE SHIELD OF MICHIGAN,		
Defendant.		
STAR OF THE WEST MILLING COMPANY et al,		
Plaintiffs,		
v.	Case No: 11-14332	
BLUE CROSS BLUE SHIELD OF MICHIGAN,	Honorable Victoria A. Roberts	
Defendant.		
MAGNA INTERNATIONAL OF AMERICA, INCet al,	С.	
Plaintiffs,		
v.	Case No: 11-14828	
BLUE CROSS BLUE SHIELD OF MICHIGAN,	Honorable Victoria A. Robert	
Defendant.		
EAGLE ALLOY, INC. et al,		
Plaintiffs,		
V.	Case No: 11-15062 Honorable Victoria A. Roberts	
BLUE CROSS BLUE SHIELD OF MICHIGAN,	Honorable Victoria A. Roberts	
Defendant/		
WHITEHALL PRODUCTS, LLC, et al		

Plaintiffs,

V.		Honorable Victoria A. Roberts
BLUE CROSS BLUE SHIELD OF MICHIGAN,		Honorable Victoria A. Roberts
Defendant.	/	
MORBARK, INC. et al,		
Plaintiffs,		
V.		Case No: 12-12843 Honorable Victoria A. Roberts
BLUE CROSS BLUE SHIELD OF MICHIGAN,		HOHOTABLE VICTORIA A. ROBERTS
Defendant.		
ADRIAN STEEL COMPANY et al,		
Plaintiffs,		
V.		Case No: 12-15614 Honorable Victoria A. Roberts
BLUE CROSS BLUE SHIELD OF MICHIGAN,		
Defendant.	1	

ORDER GRANTING MOTION STAYING CASES AND ADMINISTRATIVELY CLOSING CASES

This Court issued Corrected Findings of Fact and Conclusions of Law on May 23, 2013, in *Hi-Lex Controls, Inc. v. Blue Cross Blue Shield of Michigan* ("*Hi-Lex*"), Case No: 11-12557. The above-captioned cases involve issues and claims against Defendant which are substantially similar to those in *Hi-Lex*. In light of the *Hi-Lex* Order, Defendant Blue Cross Blue Shield of Michigan filed motions in these cases, seeking stays pending an appeal in *Hi-Lex*. (Borroughs #242; Flexfab #32; American Seating

#28; Great Lakes #24; Star #23; Magna #24; Eagle Alloy #26; Whitehall #25; Morbark

#23; Adrian Steel #26). Plaintiffs responded.

On May 31, 2013, the Court conditionally granted Defendant's motion in

Borroughs Corporation v. Blue Cross Blue Shield of Michigan, Case No. 12-565,

requiring counsel to meet, confer, and attempt to agree on triable issues, assuming the

Hi-Lex Findings and Conclusions are affirmed by the Sixth Circuit. On July 1, 2013, the

parties filed a notice with their positions on a stay and triable issues. There is no

agreement.

The Court exercises its discretion to promote judicial economy, see Landis v.

North American. Co., 299 U.S. 248, 254 (1936), and GRANTS Defendant's motions,

recognizing that the issues on appeal in *Hi-Lex* will substantially affect the outcome of

these cases. Those issues summarily include the statute of limitations analysis and the

potential misleading nature of the contractual documents between the parties, which

are almost identical to those in *Hi-Lex*.

The Court will administratively close these cases. Any party can file a motion to

reopen at the appropriate time.

IT IS ORDERED.

S/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: July 10, 2013

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on July 10, 2013.

S/Linda Vertriest Deputy Clerk