

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BANDIT INDUSTRIES, INC., et al.,

Plaintiffs,

Civil Action No.
4:13-cv-12922

v.

HON. MARK A. GOLDSMITH

BLUE CROSS AND BLUE SHIELD
OF MICHIGAN,

Defendant.

ORDER LIFTING STAY FOR LIMITED PURPOSE

On August 14, 2013, Defendant Blue Cross and Blue Shield of Michigan filed a motion to stay the above-captioned case pending resolution of an appeal by the United States Court of Appeals for the Sixth Circuit in a similar matter, Hi-Lex Controls, Inc. v. BCBSM, Case No. 11-12557 (E.D. Mich.). See Def. Mot. to Stay (Dkt. 12). The Court granted Defendant's motion on October 15, 2013. 10/15/13 Op. and Order (Dkt. 19).

The Sixth Circuit issued its decision in the Hi-Lex matter on May 14, 2014. See Pls. Notice (Dkt. 20). As a result, the Court held a telephonic status conference with the parties on June 25, 2014 to determine how to proceed with this case. Based on the discussion at that status conference, the Court orders as follows:

The Court lifts the stay in this case for the limited purpose of ordering the parties to undertake efforts at alternative dispute resolution.

If the parties are unable to resolve this case and submit a proposed order disposing of this case by August 29, 2014, the Court will conduct a telephonic status conference on September 10, 2014 @ 1:30 p.m. to discuss a schedule.

This matter will remain closed for administrative and statistical purposes while the parties go through the resolution process. The stay will remain in effect during this period, except to the extent the parties, the mediator, and/or the magistrate judge conclude that briefing or limited discovery is necessary to aid the resolution process.¹

SO ORDERED.

Dated: June 27, 2014
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 27, 2014.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager

¹ The Court's original decision granting the stay concluded that the matter was stayed "pending resolution of the Hi-Lex matter, including any appeal and proceeding on writ of certiorari to the United States Supreme Court." 10/15/13 Op. and Order at 4. The Court now modifies the terms of the stay such that it is no longer dependent on a possible writ of certiorari to the Supreme Court, but instead upon completion of the process outlined above.