

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO SUMMARY ORDERS FILED AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY THIS COURT'S LOCAL RULE 0.23 AND FEDERAL RULE OF APPELLATE PROCEDURE 32.1. IN A BRIEF OR OTHER PAPER IN WHICH A LITIGANT CITES A SUMMARY ORDER, IN EACH PARAGRAPH IN WHICH A CITATION APPEARS, AT LEAST ONE CITATION MUST EITHER BE TO THE FEDERAL APPENDIX OR BE ACCOMPANIED BY THE NOTATION: "(SUMMARY ORDER)." UNLESS THE SUMMARY ORDER IS AVAILABLE IN AN ELECTRONIC DATABASE WHICH IS PUBLICLY ACCESSIBLE WITHOUT PAYMENT OF FEE (SUCH AS THE DATABASE AVAILABLE AT HTTP://WWW.CA2.USCOURTS.GOV), THE PARTY CITING THE SUMMARY ORDER MUST FILE AND SERVE A COPY OF THAT SUMMARY ORDER TOGETHER WITH THE PAPER IN WHICH THE SUMMARY ORDER IS CITED. IF NO COPY IS SERVED BY REASON OF THE AVAILABILITY OF THE ORDER ON SUCH A DATABASE, THE CITATION MUST INCLUDE REFERENCE TO THAT DATABASE AND THE DOCKET NUMBER OF THE CASE IN WHICH THE ORDER WAS ENTERED.

1 At a stated term of the United States Court of Appeals
2 for the Second Circuit, held at the Daniel Patrick Moynihan
3 United States Courthouse, 500 Pearl Street, in the City of
4 New York, on the 6th day of October, two thousand nine.

5
6 PRESENT: DENNIS JACOBS,
7 Chief Judge,
8 AMALYA L. KEARSE,
9 CHESTER J. STRAUB,
10 Circuit Judges.

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12 - - - - - X

13 JANICE C. AMARA, GISELA R. BRODERICK,
14 ANNETTE S. GLANZ, individually and on
15 behalf of all others similarly
16 situated,

17 Plaintiffs-Appellants-Cross-
18 Appellees,

19
20 -v. -

08-3388-cv (L)
08-3460-cv (XAP)

21
22
23 CIGNA CORPORATION and CIGNA PENSION PLAN,
24 Defendants-Appellees-Cross-Appellants.

25
26 - - - - - X

1 **APPEARING FOR PLAINTIFFS:** STEPHEN R. BRUCE, ALLISON C.
2 PIENTA, Stephen R. Bruce Law
3 Offices, Washington, D.C.;
4 THOMAS G. MOUKAWSHER, Moukawsher
5 & Walsh, LLC, Hartford,
6 Connecticut.
7

8 **APPEARING FOR DEFENDANTS:** JOSEPH J. COSTELLO, JEREMY P.
9 BLUMENFELD, JAMIE M. KOHEN,
10 Morgan, Lewis, & Bockius LLP,
11 Philadelphia, Pennsylvania.
12

13 Appeal from a judgment of the U.S. District Court for
14 the District of Connecticut (Kravitz, J.).
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16 **UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED**
17 **AND DECREED** that the judgment of the district court be
18 **AFFIRMED.**
19

20 We assume the parties' familiarity with the underlying
21 facts, the procedural history, and the issues presented for
22 review.
23

24 In this ERISA appeal, the parties cross-appeal from two
25 decisions of the district court. Plaintiffs-appellants
26 argue that the district court erred in:
27

- 28 1) concluding that it lacked the authority to
29 provide complete relief for defendants-appellees'
30 ERISA violations;
31
- 32 2) failing to require prior benefit provisions to
33 be reinstated until proper notice of reductions
34 was provided;
35
- 36 3) failing to require CIGNA to pay comparable
37 benefits to affected participants until proper
38 notice was provided; and
39
- 40 4) ruling that CIGNA did not need to disclose the
41 amendment to the "Rehire Rule."
42

43 Defendants-appellees cross-appeal, arguing that the district
44 court erred by awarding plaintiffs-appellants more pension
45 benefits than they were told they would receive under the
46 pension plan. They also contend that the district court

1 properly denied plaintiffs-appellants' request for
2 additional annual benefit accruals.

3
4 We affirm the judgment of the district court for
5 substantially the reasons stated in Judge Kravitz's two
6 well-reasoned and scholarly opinions. See Amara v. Cigna
7 Corp., 559 F. Supp. 2d 192 (D. Conn. 2008); Amara v. Cigna
8 Corp., 534 F. Supp. 2d 288 (D. Conn. 2008).

9
10 Based on the foregoing reasons, we hereby **AFFIRM** the
11 judgment of the district court.

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13
14 FOR THE COURT:
15 CATHERINE O'HAGAN WOLFE, CLERK

16
17 By: _____