

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

RICHARD AGAG, MD,

Plaintiff,

v.

CIGNA HEALTH AND LIFE INSURANCE  
COMPANY,

Defendant.

Civil Action No. 25-498-SRU

*Document electronically filed*

**DEFENDANT CIGNA HEALTH AND LIFE INSURANCE COMPANY'S  
MOTION FOR STAY OF EXECUTION OF JUDGMENT AND TO APPROVE  
SUPERSEDEAS BOND**

**PLEASE TAKE NOTICE** that Defendant Cigna Health and Life Insurance Company (“Cigna”) respectfully moves before the Honorable Stefan R. Underhill, U.S.D.J., in the United States District Court for the District of Connecticut, 915 Lafayette Boulevard, Suite 411, Bridgeport, Connecticut 06604, for an Order granting a stay of execution of the Court’s April 16, 2026 Judgment (ECF No. 46) pending all appeals pursuant to Federal Rule of Civil Procedure 62(b).

**PLEASE TAKE FURTHER NOTICE** that in support of its Motion, Cigna shall rely upon the Memorandum of Law submitted concurrently herewith.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted for the Court’s consideration.

**PLEASE TAKE FURTHER NOTICE** that oral argument is requested.

Dated: May 15, 2026  
Newark, New Jersey

s/ Caroline E. Oks  
Caroline E. Oks (ct31928)  
Stephen R. Donat (ct31774)  
**FBT GIBBONS LLP**

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**CIGNA HEALTH AND LIFE INSURANCE COMPANY’S MOTION FOR STAY OF  
EXECUTION OF JUDGMENT AND TO APPROVE SUPERSEDEAS BOND**

Defendant Cigna Health and Life Insurance Company (“Cigna”), by and through its attorneys FBT Gibbons LLP and pursuant to Federal Rule of Civil Procedure 62(b), hereby moves for an order granting a stay of execution of the Court’s April 16, 2026, Judgment (ECF No. 46) pending all appeals and for an order directing Cigna to submit a supersedeas bond in the amount of \$150,000.00. In support of this Motion, Cigna states as follows:

1. On April 16, 2026, this Court entered judgment in the amount of \$142,567.99 for Plaintiff Richard Agag, MD and against Cigna (“Judgment”).

2. Pursuant to Federal Rule of Civil Procedure 62(a), “execution on a judgment and proceedings to enforce it are stayed for 30 days after its entry.” Accordingly, any proceeding to enforce the Court’s Judgment is presently stayed until May 16, 2026.

3. On May 1, 2026, Cigna filed a Notice of Appeal of the Judgment to the United States Court of Appeals for the Second Circuit. ECF No. 47. That appeal is presently pending before the Second Circuit. *See Agag v. Cigna Health and Life Insurance Company*, No. 26-1241.

4. Pursuant to Federal Rule of Civil Procedure 62(b), “[a]t any time after judgment is

entered, a party may obtain a stay by providing a bond or other security. The stay takes effect when the court approves the bond or other security and remains in effect for the time specified in the bond or other security.” Pursuant to Federal Rules of Appellate Procedure 7 and 9, this Court may stay enforcement of a judgment pending resolution of an appeal.

5. On May 14, 2026, Plaintiff’s counsel consented to a stay of enforcement of the Court’s Judgment pending appeal of the Judgment to the Second Circuit and to the Supersedeas Bond in the amount of \$150,000.00 (One Hundred and Fifty Thousand Dollars). This amount is intended to satisfy the Court’s April 16, 2026, Judgment and all interest on the judgment from the date of its entry through eighteen (18) months after the date of its entry at the applicable rate of 3.69 percent per year.<sup>1</sup>

6. Accordingly, Cigna requests that this Court enter an order setting a supersedeas bond in the amount of \$150,000.00, and staying enforcement of the Court’s April 16, 2026, Judgment against it from May 16, 2026, through the resolution of any and all appeals to the United States Court of Appeals for the Second Circuit and, if necessary, to the Supreme Court of the United States.

**FBT GIBBONS LLP**

Dated: May 15, 2026  
Newark, New Jersey

s/ Caroline E. Oks  
Caroline E. Oks (ct31928)  
Stephen R. Donat (ct31774)  
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<sup>1</sup> See <https://www.casb.uscourts.gov/post-judgment-interest-rates-2026>.

*Cigna Health and Life Insurance  
Company*