

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**NICHOLE MEDICAL EQUIPMENT & SUPPLY,  
INC.,**  
*Plaintiff,*

AND

**DOMINIC ROTELLA,**  
*Plaintiff-Appellant,*

v.

**UNITED STATES,**  
*Defendant-Appellee.*

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2013-5101

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Appeal from the United States Court of Federal  
Claims in No. 12-CV-0364, Senior Judge Eric G. Brug-  
gink.

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**ON MOTION**

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**O R D E R**

Dominic Rotella moves for leave to proceed in forma pauperis. Nichole Medical Equipment & Supply, Inc. has not responded to the court's November 19, 2013 order.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) Rotella's motion for leave to proceed in forma pauperis is granted.

(2) The case will proceed only as to the pro se appellant. The revised official caption is reflected above. A copy of this order shall be transmitted to the merits panel.

FOR THE COURT

/s/ Daniel E. O'Toole

Daniel E. O'Toole

Clerk of Court