

NOTE: This order is nonprecedential.

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

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

AND

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

v.

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

2013-5101

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

ON MOTION

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