In the United States Court of Federal Claims

Nos. 13-466C, 13-496C, 13-542C
(Consolidated)
(Filed: July 9, 2015)

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JOSEPH CACCIAPALLE, et al., *
*
Plaintiffs, *
*
v. *
*
THE UNITED STATES, *
*
Defendant. *
****

ORDER

One of the named plaintiffs in the above-captioned case, Mr. Joseph Cacciapalle, filed a notice informing the court of the death of Mr. Melvin Bareiss, another named plaintiff. Under Rule 25(a)(1) of the Rules of the United States Court of Federal Claims:

> If a party dies and the claim is not extinguished, the court may order substitution of the proper party. A motion for substitution may be made by any party or by the decedent's successor or representative. If the motion is not made within 90 days after service of a statement noting the death, the action by the decedent must be dismissed.

More than ninety days have passed since Mr. Cacciapalle filed the notice, and no motion to substitute any parties was filed during the ninety-day period. Accordingly, the claims brought by the decedent are **DISMISSED**.

IT IS SO ORDERED.

s/ Margaret M. Sweeney
MARGARET M. SWEENEY
Judge