

**In the Supreme Court of the United States**

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NICK FELICIANO,

*Petitioner*

*v.*

DEPARTMENT OF TRANSPORTATION

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**ON WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

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**MOTION FOR LEAVE TO DISPENSE  
WITH PREPARATION OF A JOINT APPENDIX**

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Pursuant to Supreme Court Rule 26.8, Petitioner respectfully seeks leave to dispense with the requirement of a joint appendix in this case. The Solicitor General agrees that a joint appendix is not necessary and concurs in the filing of this motion.

The question presented is whether a federal civilian employee called or ordered to active duty under a provision of law during a national emergency is entitled to differential pay even if the duty is not directly connected to the national emergency. The appendix to the petition for a writ of certiorari in this case includes all of the relevant lower court opinions and orders. The parties do not believe that any other portion of the record merits special attention that warrants the preparation and expense of a joint appendix, and preparation of a joint appendix would not materially assist the Court's consideration of this case.

For the foregoing reasons, the motion for leave to dispense with the requirement of a joint appendix should be granted.

Dated: July 25, 2024

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew T. Tutt", written in a cursive style. The signature is positioned above a horizontal line.

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Andrew T. Tutt

*Counsel of Record*

ARNOLD & PORTER KAYE SCHOLER LLP

601 Massachusetts Avenue, NW

Washington, DC 20001

(202) 942-5000

andrew.tutt@arnoldporter.com

*Counsel for Petitioner*