

UNITED STATES COURT OF APPEALS

May 18, 2009

FOR THE TENTH CIRCUIT

**Elisabeth A. Shumaker
Clerk of Court**

MEDICAL SUPPLY CHAIN, INC.,

Plaintiff,

v.

NEOFORMA, INC., et al.,

Defendants-Appellees,

No. 08-3187
(D.C. No. 2:05-CV-02299-CM-GLR)
(D. Kan.)

SAMUEL K. LIPARI,

Interested Party-
Appellant.

ORDER

Before **LUCERO, PORFILIO**, and **ANDERSON**, Circuit Judges.

Appellant's petition for rehearing is denied.

The petition for rehearing en banc was transmitted to all of the judges of the court who are in regular active service. As no member of the panel and no judge in regular active service on the court requested that the court be polled, that petition is also denied.

Entered for the Court,



ELISABETH A. SHUMAKER, Clerk