IN THE UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

Civil Action No. 11-cv-00520-PAB-BNB

HEALTH GRADES, INC.,

Plaintiff,

vs.

MDX MEDICAL, INC. d/b/a VITALS.COM,

Defendant.

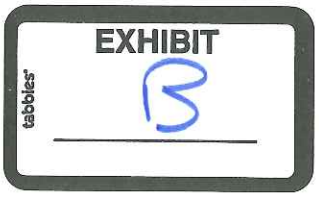
AFFIDAVIT OF ALLEN DODGE

---

1. My name is Allen Dodge. I am the Executive Vice President and Chief Financial Officer of Health Grades, Inc. The statements made herein are true and correct and are based on my personal knowledge.

2. I am very familiar with the '060 Patent and with the claim language in the '060 Patent.

3. I have reviewed the MDx website and compared it to the claim language in the '060 Patent. The MDx website provides "ratings" of "doctors." For example, by clicking on a link labeled "Rate This Doctor," one is able to rate a doctor using a four-star system over a number of criteria listed in the website. These ratings are available for a number of different doctors, and thus I disagree with the statement by Mr. Rothschild in his Affidavit that the MDx website "does not generate comparisons of ratings for one doctor with ratings for another doctor."



I declare that the foregoing is true and correct based on my personal knowledge.

Allen Dodge

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

Subscribed and sworn to before me by Allen Dodge this 20th day of May, 2011.
WITNESS MY HAND AND OFFICIAL SEAL.

My Commission expires: August 8, 2013.

Notary Public

PAMELA A VON FELDT
Notary Public
State of Colorado