IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

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

HEALTH GRADES, INC.,
Plaintiff,

V.

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

HEALTH GRADES, INC.'S UNOPPOSED MOTION FOR LEAVE TO SUPPLEMENT ITS REPLY IN SUPPORT OF ITS MOTION FOR LEAVE TO SERVE ONE REQUEST FOR INSPECTION UNDER FED. R. CIV. P. 34(a)(2), OR IN THE ALTERNATIVE, HEALTH GRADES, INC.'S MOTION FOR RECONSIDERATION OF THE ORDER DENYING ITS MOTION TO COMPEL PRODUCTION OF A DEMONSTRATION SYSTEM

Health Grades, Inc. ("Health Grades"), by its undersigned counsel, respectfully submits its Unopposed Motion For Leave to Supplement its Reply [Dkt. 229] in Support of its Motion [Dkt. 196] for Leave to Serve One Request For Inspection Under Fed. R. Civ. P. 34(A)(2), or in the Alternative, Health Grades, Inc.'s Motion For Reconsideration of the Order Denying its Motion To Compel Production of a Demonstration System, and states in support:

Health Grades seeks leave to supplement its Reply [Dkt. 229] to add new evidence that Health Grades obtained after it filed the Reply. Good cause exists for the supplement. Specifically, Health Grades filed the Reply [Dkt. 229] on June 22, 2012. Subsequently, on June 26, 2012, Health Grades took the deposition of MDx Medical, Inc.'s Chief Technology Officer, Larry West. Health Grades seeks to supplement its Reply with portions of Mr. West's testimony that is relevant to issues raised in Health Grades motion [Dkt. 196] regarding whether the demonstration or log-in credentials requested by Health Grades would impact, involve or pose

any risk to MDx's website, the website functionality, and MDx's source code. Health Grades' Supplement is being filed concurrently herewith.

Certificate of Compliance with D.C.COLO.LCivR 7.1A

Undersigned counsel for Health Grades conferred with counsel for MDx regarding the subject matter of this motion. MDx does not oppose this motion.

Dated: July 3, 2012

ROTHGERBER JOHNSON & LYONS LLP

s/ Jesús M. Vázquez

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CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2012, I electronically filed the foregoing **HEALTH GRADES, INC.'S UNOPPOSED MOTION FOR LEAVE TO SUPPLEMENT ITS REPLY IN SUPPORT OF ITS MOTION FOR LEAVE TO SERVE ONE REQUEST FOR INSPECTION UNDER FED. R. CIV. P. 34(a)(2), OR IN THE ALTERNATIVE, HEALTH GRADES, INC.'S MOTION FOR RECONSIDERATION OF THE ORDER DENYING ITS MOTION TO COMPEL PRODUCTION OF A DEMONSTRATION SYSTEM** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following e-mail addresses:

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