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.

MDX MEDICAL, INC.'S UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE LIMITATIONS FOR ITS OPPOSITION TO HEALTH GRADES, INC.'S MOTION FOR LEAVE TO AMEND ITS COMPLAINT TO ASSERT CAUSES OF ACTION FOR JOINT INFRINGEMENT AND INDIRECT INFRINGEMENT

Defendant and Counterclaim Plaintiff MDx Medical, Inc. ("MDx"), by its undersigned counsel, pursuant to D.C.Colo.LCivR 7.1 and Judge Philip A. Brimmer Practice Standard III(A) (the "Practice Standards"), respectfully submits this MDx Medical, Inc.'s Unopposed Motion for Leave to Exceed Page Limitations For Its Opposition to Health Grades, Inc.'s Motion for Leave to Amend It's Complaint To Assert Causes of Action for Joint Infringement and Indirect Infringement ("Opposition").

Undersigned counsel conferred with counsel for Health Grades, Inc. ("Health Grades") regarding the relief requested herein and is authorized to state that Health Grades does not oppose the relief requested by MDx herein.

Pursuant to the Practice Standards, briefs and responses shall not exceed fifteen pages. MDx needs and respectfully requests leave to exceed page limitations for its Opposition from

fifteen (15) pages to eighteen (18) pages. As discussed below, good cause exists for the requested additional pages.

Health Grades' Motion for Leave to Amend It's Complaint To Assert Causes of Action for Joint Infringement and Indirect Infringement [Doc. # 252, "Motion to Amend"] exceeded the page limits by submitting a 17-page brief (MDx has no objection to the extra pages). Health Grades' Motion to Amend, however, attached many pages of claim charts, and seeks to amend the complaint to add three new causes of action. MDx needs the extra pages for its Opposition to properly address the futility of the proposed Health Grades amendment for all these claims.

Thus, for good cause shown as discussed above, MDx respectfully requests the relief above.

Dated: September 17, 2012

Respectfully submitted,

s:/Scott D. Stimpson

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CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2012, I electronically filed the foregoing MDX MEDICAL, INC.'S UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE LIMITATIONS FOR ITS OPPOSITION TO HEALTH GRADES, INC.'S MOTION FOR LEAVE TO AMEND ITS COMPLAINT TO ASSERT CAUSES OF ACTION FOR JOINT INFRINGEMENT AND INDIRECT INFRINGEMENT 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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