EXHIBIT E

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
SECOND SET OF INTERROGATORIES (NOS. 7-9)

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant MDx Medical, Inc. ("MDx") hereby requests that Plaintiff Health Grades, Inc. ("Health Grades") respond to the interrogatories set forth herein and to serve these answers on Thirty Rockefeller Plaza, New York, NY 10112, in writing and under oath within thirty (30) days after service hereof, or as agreed by counsel.

DEFINITIONS AND INSTRUCTIONS

MDx incorporates by reference the Definitions and Instructions in its First Set of Interrogatories (Nos. 1-6) served June 8, 2011, as if fully set forth herein.

INTERROGATORY

INTERROGATORY NO. 7:

State when, if ever, Health Grades began marking pursuant to 35 U.S.C. § 287 and identify all evidence of such alleged marking and the extent of the marking.

INTERROGATORY NO. 8:

If Health Grades disagrees with any one or more of the bases for patent invalidity set forth in MDx's Invalidity Contentions, Supplemental Invalidity Contentions, and accompanying documents (served on August 19, 2011 and August 26, 2011 and as may be later supplemented, "Invalidity Disclosures"), for every such disagreement set forth in full and complete detail all reasons why MDx's contentions are allegedly incorrect, including but not limited to (1) a full and complete explanation of all points of disagreement with the assertions in MDx's Invalidity Disclosures; (2) a full and complete explanation of why each and every asserted reference (or combination of references) does not invalidate the Patent-in-Suit pursuant to 35 U.S.C. § 102 and/or § 103; and (3) a full and complete explanation of why the Patent-in-Suit is not invalid pursuant to 35 U.S.C. § 112.

INTERROGATORY NO. 9:

If your response to any of MDx's Requests for Admission, served herewith and hereinafter, is anything other than an unqualified admission, state all reasons and facts upon which Health Grades bases its response.

Dated: September 7, 2011

Respectfully submitted,

s:/Scott D. Stimpson

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Attorneys for Defendant
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on September 7, 2011, I have caused a true and correct copy of the foregoing MDX MEDICAL, INC.'S SECOND SET OF INTERROGATORIES (NOS. 7-9) to be served upon counsel for Health Grades, Inc. by electronic mail transmission to the following individuals:

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Attorneys for Plaintiff Health Grades, Inc.

Dated: September 7, 2011

s:/David C. Lee
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