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December 12, 2011

VIA FEDERAL EXPRESS

Scott Stimpson, Esq.
David C. Lee, Esq.
Sills Cummis & Gross
One Rockefeller Plaza
New York, NY 10020

Re: Health Grades, Inc. v. MDx Medical, Inc. d/b/a Vitals.com
Civil Action No. 2011-cv-00520-LTB

Dear Counsel:

Enclosed herewith please find a CD containing the search results for the following terms: "profits"; "comparison ratings"; "physician research comparison"; "pnmm". The CD contains 17,239 documents, consisting of 81,368 pages.

We have taken steps to remove any privileged documents from these materials. To the extent a privileged document is included within these materials, such inclusion is inadvertent and does not constitute a waiver of the privilege. If you find a document that is or appears to be privileged, we ask that you notify us of the same immediately and that you destroy all electronic and paper copies of the document.

Please contact me if you have any questions regarding this letter or the materials we are producing herewith.

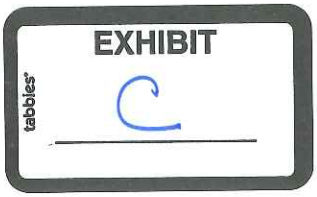
Very truly yours,

ROTHGERBER JOHNSON & LYONS LLP

Jesús M. Vázquez, Jr.

JMV/pjh
Enclosures

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December 8, 2011

VIA FEDERAL EXPRESS

Scott Stimpson, Esq.
David C. Lee, Esq.
Sills Cummis & Gross
One Rockefeller Plaza
New York, NY 10020

Re: Health Grades, Inc. v. MDx Medical, Inc. d/b/a Vitals.com
Civil Action No. 2011-cv-00520-LTB

Dear Counsel:

Enclosed herewith please find two CDs containing the search results for the terms requested by MDx as well as supplemental financial information provided by Health Grades, as more specifically set forth in our email of December 7, 2011. The search results for the terms requested by MDx comprise 6,414 documents with a total of 53,019 pages. The supplemental financial documents comprise 6,314 pages.

We have taken steps to remove any privileged documents from these materials. To the extent a privileged document is included within these materials, such inclusion is inadvertent and does not constitute a waiver of the privilege. If you find a document that is or appears to be privileged, we ask that you notify us of the same immediately and that you destroy all electronic and paper copies of the document. Further, as we agreed, the materials we are providing exclude any documents or communications created after the date we filed the lawsuit, i.e., March 2, 2011.

Please contact me if you have any questions regarding this letter or the materials we are producing herewith.

Very truly yours,

ROTHGERBER JOHNSON & LYONS LLP

Jesús M. Vázquez, Jr.

JMV/pjh
Enclosures
(01005859 / 1)