Vazquez, Jesus

From: Vazquez, Jesus
Sent: Monday, December 12, 2011 3:02 PM
To: 'Scott D. Stimpson'
Cc: David C. Lee; Scott Murray
Subject: Motion to Compel

Scott:

I'm writing to see if you will withdraw the following issues from the pending motion:

Interrogatory No. 8, discussed at page 6 of the motion. This information has been provided.

MDx's electronic discovery requests, discussed at pages 8-9 of the motion, This information has been provided, per my email of December 7. On December 8 we sent you search results in excess of 53,000 pages. As we had anticipated, the search for the term "profits" has also yielded thousands of hits; nonetheless we anticipate having those search results out the door to you today per my email of December 7.

Interrogatory Nos. 7 and 9, discussed at page 10 of the motion. We have provided the information requested in these interrogatories.

Documents showing detailed accounting of revenues, expenses and costs, discussed at page 11 of the motion. Last Thursday we sent you 6,314 pages of additional financial documents with detailed accounting relating to revenues, expenses and costs.

Patent marking and notice discovery requests, discussed at pages 12 - 13 of the motion. We have provided all the information we have been able to find regarding marking. We have not found a letter to MDx giving notice of the issued patent. We have also responded to the three requests for admission and explained why we could not admit those in an unqualified fashion in response to Interrogatory 9.

We would appreciate hearing back from you as soon as possible regarding whether you will agree to withdraw the foregoing issues from the pending motion. We plan to file our response later today.

Thanks, Jesus

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