

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE RAYMOND P. MOORE**

Courtroom Deputy: Nick Richards
Court Reporter: Tammy Hoffschildt

Date: February 13, 2014

CASE NO. 11-cv-00520-RM-BNB

Parties

HEALTH GRADES, INC.,

Plaintiff,

v.

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

Defendant.

Counsel

Kris John Kostolansky
Kirstin L. Stoll-DeBell

Scott David Stimpson
Terence M. Ridley

COURTROOM MINUTES

MOTION HEARING

COURT IN SESSION: 9:01 a.m.

Court calls case. Appearances of counsel.

Motion Hearing called regarding Health Grades, Inc.'s Motion for Partial Summary Judgment [Doc. No. 369, filed November 2, 2012; public entry for the motion is Doc. No. 377].

Opening remarks by the Court.

9:06 a.m. Oral argument by Mr. Stimpson regarding prior art.

9:21 a.m. Oral argument by Mr. Kostolansky.

9:42 a.m. Oral argument by Mr. Stimpson regarding anticipation.

9:54 a.m. Oral argument by Mr. Kostolansky.

10:16 a.m. Response by Mr. Stimpson

10:25 a.m. Reply by Mr. Kostolansky.

COURT IN RECESS: 10:32 a.m.

COURT IN SESSION: 10:48 a.m.

10:48 a.m. Oral argument by Mr. Kostolansky regarding inequitable conduct.

11:05 a.m. Oral argument by Mr. Stimpson.

11:23 a.m. Response by Mr. Kostolansky.

11:29 a.m. Oral argument by Mr. Kostolansky regarding obviousness.

11:36 a.m. Oral argument by Mr. Stimpson.

ORDERED: Each party shall file briefing not to exceed two pages in length detailing outstanding issues and motions and an order in which each party believes the Court should proceed.

ORDERED: Health Grades, Inc.'s Motion for Partial Summary Judgment [369, public entry 377] is **TAKEN UNDER ADVISEMENT**.

COURT IN RECESS: 11:52 a.m.

Total in court time: 02:35

Hearing concluded