

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

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Courtroom Deputy: Nick Richards  
Court Reporter: Tammy Hoffschildt

Date: February 13, 2014

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**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

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**COURTROOM MINUTES**

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**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**