NUVASIVE INC Form 4

December 03, 2015

FORM 4

UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

Check this box if no longer

subject to Section 16. Form 4 or Form 5

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF **SECURITIES**

obligations may continue. See Instruction 1(b).

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person * Miles Patrick

(First)

7475 LUSK BLVD.

(Last)

(Street)

(Middle)

(Month/Day/Year)

12/01/2015

4. If Amendment, Date Original Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to 2. Issuer Name and Ticker or Trading Symbol

NUVASIVE INC [NUVA]

3. Date of Earliest Transaction

Issuer

OMB APPROVAL

3235-0287

January 31,

2005

0.5

OMB

Number:

Expires:

response...

Estimated average

burden hours per

(Check all applicable)

Director 10% Owner X_ Officer (give title _ Other (specify below) President and COO

6. Individual or Joint/Group Filing(Check Applicable Line)

X Form filed by One Reporting Person Form filed by More than One Reporting

Person

SAN DIEGO, CA 92121

(City)	(State)	(Zip) Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned									
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. 4. Securities Acquired Transaction(A) or Disposed of (D) Code (Instr. 3, 4 and 5) (Instr. 8) (A) or			5. Amount of Securities Beneficially Owned Following Reported Transaction(s)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)			
Common			Code V	Amount	(D)	Price	(Instr. 3 and 4)				
Common Stock	12/01/2015		S	981 <u>(1)</u>	D	\$ 52.19	31,646 (2)	D			
Common Stock	12/02/2015		M	3,892	A	\$ 38.94	35,538 (2)	D			
Common Stock	12/02/2015		S	3,892 (1)	D	\$ 52.58 (3)	31,646 (2)	D			
Common Stock	12/02/2015		M	82,080	A	\$ 38.94	113,726 (2)	D			
Common Stock	12/02/2015		F	71,953 (4)	D	\$ 52.48	41,773 (2)	D			

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Common Stock 12/03/2015 S 1,000 S 52.53 40,773 (2) D (5)

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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SEC 1474

(9-02)

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transactio Code (Instr. 8)	5. Number of orDerivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount of Underlying Securities (Instr. 3 and 4)	
				Code V	(A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Employee Stock Option (Right to Buy)	\$ 38.94	12/02/2015		M	3,892	<u>(6)</u>	01/04/2018	Common Stock	3,892
Employee Stock Option (Right to Buy)	\$ 38.94	12/02/2015		M	82,080	<u>(7)</u>	01/04/2018	Common Stock	82,080

Reporting Owners

Reporting Owner Name / Address

Director 10% Owner Officer Other

Director 10% Owner Officer

Miles Patrick
7475 LUSK BLVD. President and COO
SAN DIEGO, CA 92121

Signatures

/s/ Jason M. Hannon, Attorney-in-Fact for Patrick S.
Miles

12/03/2015

**Signature of Reporting Person Date

Reporting Owners 2

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Explanation of Responses:

- * If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Sales effected pursuant to a Rule 10b5-1 Trading Plan adopted by the Reporting Person, which is intended to comply with Rule 10b5-1.
- (2) Shares directly held by the Reporting Person. The Reporting Person also holds conditional rights to receive shares pursuant to previously disclosed Company equity awards.
- Weighted average sales price from sales transactions ranging from \$52.55 to \$52.73. Upon request by the Commission staff, the Issuer or a security holder of the Issuer, the Reporting Person will undertake to provide full information regarding the number of shares sold at each separate price.
- (4) Payment of exercise price and tax liability by Issuer's withholding of shares incident to the respective option exercise.
- Weighted average sales price from sales transactions ranging from \$52.45 to \$52.63. Upon request by the Commission staff, the Issuer or a security holder of the Issuer, the Reporting Person will undertake to provide full information regarding the number of shares sold at each separate price.
- (6) The option, representing a right to purchase a total of 3,892 shares, was granted on January 4, 2008 and is fully vested.
- (7) The option, representing a right to purchase a total of 146,108 shares, was granted on January 4, 2008 and is fully vested.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.