

1 WILSON SONSINI GOODRICH &
2 ROSATI
3 PAUL D. TRIPODI II, (SBN 162380)
4 ptripodi@wsgr.com
5 GRACE J. PAK, (SBN 277705)
6 gpak@wsgr.com
7 633 W. Fifth Street, Suite 1550
8 Los Angeles, CA 90071
9 Tel: 323.210.2900; Fax: 866.974.7329

10 NATALIE J. MORGAN, (SBN
11 211143)
12 nmorgan@wsgr.com
13 WENDY L. DEVINE, (SBN 246337)
14 wdevine@wsgr.com
15 12235 El Camino Real, Suite 200
16 San Diego, CA 92130
17 Tel: 858.350.2300; Fax: 858.350.2399

18 ROBERT R. CLEARY, JR.
19 (SBN 282113)
20 rcleary@wsgr.com
21 SARA L. ROSE, (SBN 300945)
22 srose@wsgr.com
23 650 Page Mill Road
24 Palo Alto, CA 94304
25 Tel: 650.493.9300; Fax: 650.493.6811

26 Attorneys for
27 Defendant/Counterclaimant, NUVASIVE,
28 INC.

KIRKLAND & ELLIS LLP
LUKE L. DAUCHOT (SBN 229829)
luke.dauchot@kirkland.com
NIMALKA R. WICKRAMASEKERA
(SBN 268518)
nimalka.wickramasekera@kirkland.com
SHARRE LOTFOLLAHI (SBN
258913)
sharre.lotfollahi@kirkland.com
333 South Hope Street
Los Angeles, California 90071
Tel: 213. 680.8400
Fax: 213. 680.8500

Attorneys for Plaintiffs/Counterclaim
Defendants **WARSAW
ORTHOPEdic, INC.;**
**MEDTRONIC SOFAMOR DANEK
U.S.A., INC.;** **MEDTRONIC
PUERTO RICO OPERATIONS
CO.;** **OSTEOTECH, INC.;**
MEDTRONIC INC.; **MEDTRONIC
SOFAMOR DANEK
DEGGENDORE, GMBH;**
MEDTRONIC LOGISTICS, LLC;
MEDTRONIC XOMED, INC.; AND
**SPINAL GRAFT
TECHNOLOGIES, LLC**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

20 WARSAW ORTHOPEDIC, INC.;

21 MEDTRONIC SOFAMOR DANEK
22 U.S.A., INC.;

23 MEDTRONIC PUERTO
24 RICO OPERATIONS CO.;

25 and
26 OSTEOTECH, INC.,

27 Plaintiffs,

28 v.

NUVASIVE, INC.,

Defendant.

AND RELATED COUNTERCLAIMS

CASE NO. 3:12-cv-02738-CAB (MDD)

JOINT NOTICE OF SETTLEMENT

1 **TO THE HONORABLE COURT, ALL PARTIES, AND THEIR**
2 **ATTORNEYS OF RECORD:**

3 PLEASE TAKE NOTICE THAT Plaintiff Warsaw Orthopedic, Inc. and
4 Defendant NuVasive, Inc. have agreed to settle this case pursuant to a binding term
5 sheet. The parties presently anticipate the execution of a full settlement agreement
6 and the filing of dismissals of this litigation on or before Friday, July 29, 2016.
7

8 DATED: June 30, 2016

KIRKLAND & ELLIS LLP

9
10 /s/ Luke L. Dauchot

11 Luke L. Dauchot
12 Luke.dauchot@kirkland.com

13 Attorneys for Plaintiffs/Counterclaim
14 Defendants WARSAW ORTHOPEDIC,
15 INC.; MEDTRONIC SOFAMOR
16 DANEK U.S.A., INC.; MEDTRONIC
17 PUERTO RICO OPERATIONS CO.;
18 OSTEOTECH, INC.; MEDTRONIC
19 INC.; MEDTRONIC SOFAMOR
20 DANEK DEGGENDORE, GMBH;
21 MEDTRONIC LOGISTICS, LLC;
22 MEDTRONIC XOMED, INC.; AND
23 SPINAL GRAFT TECHNOLOGIES,
24 LLC

20 DATED: June 30, 2016

WILSON SONSINI GOODRICH & ROSATI

21 /s/ Paul D. Tripodi II

22 Paul D. Tripodi II
23 ptripodi@wsgr.com

24 Attorneys for
25 Defendant/Counterclaimant
26 NUVASIVE, INC.
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CERTIFICATE OF SERVICE

I am employed in the County of Los Angeles; I am over the age of eighteen years and not a party to the within entitled action; my business address is 633 West Fifth Street, Suite 1550, Los Angeles, California 90071.

On June 30, 2016, true and correct copies of the foregoing document were served to all counsel of record who are deemed to have consented to electronic service via the Court’s CM/ECF system per Civil Local Rule 5.4. Any other counsel of record will be served by electronic mail, facsimile, U.S. Mail and/or overnight delivery.

FEDERAL: I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 30, 2016, at Los Angeles, California.

/s/ Soo Kim
Soo Kim