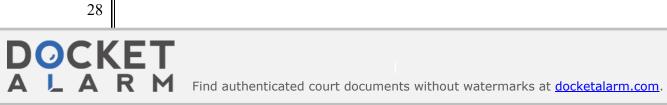
1 2 3 4 5 6	WILSON SONSINI GOODRICH & PAUL D. TRIPODI II (SBN 162380) ptripodi@wsgr.com WENDY L. DEVINE (SBN 246337) wdevine@wsgr.com NATALIE J. MORGAN (SBN 211143 nmorgan@wsgr.com 633 West Fifth Street, Suite 1550 Los Angeles, CA 90071 Telephone: 323-210-2900 Fax: 866-974-7329 Hilgers Graben PLLC	
8 9 10 11	MICHAEL T. HILGERS (<i>Pro Hac Vic</i> mhilgers@hilgersgraben.com 575 Fallbrook Blvd, Suite 202 Lincoln, NE 68521 Telephone: 402-218-2106 Fax: 402-413-1880	ce)
12	Attorneys for Plaintiff NuVasive, Inc.	
13	UNITED STATES DISTRICT COURT	
14	SOUTHERN DISTRICT OF CALIFORNIA	
15	SAN DIEGO DIVISION	
16	NUVASIVE, INC., a Delaware) Case No. 18-cv-00347-CAB-MDD
17 18	corporation, Plaintiff,) NUVASIVE, INC.'S NOTICE OF MOTION AND MOTION FOR PARTIAL SUMMARY JUDGMENT
	V.	
19	ALDUATECHOLDINGS INC	Judge: Hon. Cathy Ann BencivengoCourtroom: 4C
20	ALPHATEC HOLDINGS, INC., a Delaware corporation, and ALPHATEC SPINE, INC., a	PER CHAMBERS RULES, NO ORAL ARGUMENT UNLESS
21	California corporation,) SEPARATELY ORDERED BY THE
22	Defendants.) COURT)
23		}
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27		
28		



1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD: 2 PLEASE TAKE NOTICE that Plaintiff NuVasive, Inc. ("NuVasive") will 3 and hereby does move for partial summary judgment against Defendants Alphatec Holdings, Inc. and Alphatec Spine, Inc. (collectively, "Alphatec"). 4 5 This Motion is based upon this Notice of Motion, the accompanying Memorandum of Points and Authorities, the supporting Declaration of Wendy L. 6 7 Devine, the pleadings and exhibits on file herein, the arguments of counsel and any information presented at the hearing, and such other matters as the Court may 8 9 consider in connection with this Motion. 10 Dated: January 17, 2020 WILSON SONSINI GOODRICH & ROSATI 11 By: /s/ Wendy L. Devine 12 Paul D. Tripodi II (SBN162380) Wendy L. Devine (SBN 246337) 13 Natalie J. Morgan (SBN 211143) 14 HILGERS GRABEN PLLC 15 Michael T. Hilgers, pro hac vice 16 Attorneys for Plaintiff NuVasive, Inc. 17 18 19 20 21 22 23 24 25 26 27 28



CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document has been served on this date to all current and/or opposing counsel of record, if any to date, who are deemed to have consented to electronic service via the Court's CM/ECF system per Civ.L.R. 5.4(d). Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery.

I declare under penalty of perjury under the Laws of the United States of America that the above is true and correct. Executed this 17 day of January 2020, at San Diego, California.

By: /s/Arlene Apodaca ARLENE APODACA

DOCKET A L A R M