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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

NUVASIVE, INC., a Delaware corporation,

Plaintiff,

v.

ALPHATEC HOLDINGS, INC., a Delaware corporation and ALPHATEC SPINE, INC., a California corporation,

Defendants.

Case No. 3:18-CV-00347-CAB-MDD

ORDER SETTING PRETRIAL AND TRIAL DATES

On September 7, 2021, the court held a telephonic status conference with counsel to set a pretrial schedule. Wendy Devine appeared for plaintiff NuVasive, Inc. Nimalka Wickramasekera appeared for defendants Alphatec Holdings, Inc. and Alphatec Spine, Inc.

Trial will begin on **December 8, 2021**, at 8:45 a.m. in Courtroom 15A of the Carter-Keep Courthouse. It will continue **December 9-10, 13-16 and 20, 2021**, as needed. After the first day, the daily trial schedule will be as follows: 8:30 a.m. to 3:00 p.m., with two 25–30 minute breaks, no lunch break. Each side will have 20 hours to put on its case, including opening and closing statements.

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The Court also sets the following pretrial schedule:

Final disclosure of patent claims September 24, 2021
to be asserted at trial

Final disclosure of invalidity October 8, 2021
references/combinations to be asserted at trial

Parties exchange pretrial disclosures October 15, 2021

Meet & Confer to Prepare Pretrial Order October 22, 2021

File Motions in Limine October 29, 2021

Lodge Proposed Pretrial Order November 5, 2021


File Oppositions to Motions in Limine November 5, 2021

**Final Pretrial Conference and November 12, 2021
and Motion in Limine Hearing at 2:00 p.m.**

Submit Proposed Voir Dire November 23, 2021
and Proposed Jury Instructions

IT IS SO ORDERED.

Dated: September 7, 2021



Hon. Cathy Ann Bencivengo
United States District Judge