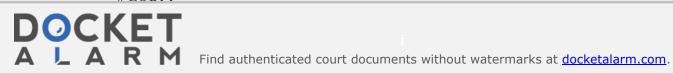
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12				
13	UNITED STATES DISTRICT COURT			
14	SOUTHERN DISTRICT OF CALIFORNIA			
15	SAN DIEGO DIVISION			
16				
17	NUVASIVE, INC., a Delaware corporation,	) CASE NO.: 18-cv-00347-CAB-MDD		
18	Plaintiff,			
19	V.	) ) PARTIES' AGREED PROPOSED		
20		) VERDICT FORM )		
21	ALPHATEC HOLDINGS, INC., a Delaware corporation, and ALPHATEC SPINE, INC., a California corporation,	)		
22				
23	Defendants.	}		
24				
25				
26				
27				
28	PARTIES' AGREED PROPOSED VERDICT	CASE NO.: 18-cv-00347-CAB-MDD		



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CASE NO. 18 or 002/7 CAR MIDD

DADTIEC, ACDEED DDUDUCED MEDDICT

**INSTRUCTIONS:** Answer each of the following Questions 1 through 7, following the jury instructions and the instructions given on this Verdict Form.

- "The '832 patent" refers to U.S. Patent No. 8,439,832.
- "The '801 patent" refers to U.S. Patent No. 7,819,801.
- "The '531 patent" refers to U.S. Patent No. 9,974, 531.

DADTIEC ACDEED DDODOCED VEDDICT

CASE NO · 18 ov 002/7 CAR MDI



1	AGREED QUESTION 2: WILLFUL INFRINGEMENT				
2	Question 2. Did NuVasive prove by a preponderance of the evidence that				
3	Alphatec willfully in	fringed the '832, '801, or '531 <sub>1</sub>	patents?		
4	(Checking "Ye	(Checking "Yes" below is finding for NuVasive on the issue; checking "No"			
5	below is finding for Alphatec on the issue).				
6					
7		(For NuVasive)	(For	· Alphatec)	
8	'832 Patent	Yes	No		
9	oca i atent				
10	'801 Patent	Yes	No		
11					
12	'531 Patent	Yes	No		
13					
14	(Continue to Question 3)				
15	_	,			
16					
17					
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19					
20					
21					
22					
23					
24 25					
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Did Al	lphatec prove	by clear and	convincing	evidence 1	that any o	of the c	laims
of the '832, '	801, or '531 p	atents are inv	valid as obv	ious?			

(Checking "Yes" below is finding for Alphatec on the issue; checking "No" below is finding for NuVasive on the issue).

7	'832 Patent	(For Alphatec)	(For NuVasive)
8	Claim 1	Yes	No
9		105	No
10	Claim 3	Yes	No
11	-		
12	Claim 9	Yes	No
13			
14 15	Claim 10	Yes	No
16			
17	'801 Patent	(For Alphatec)	(For NuVasive)
18	Claim 1	Yes	No
19			
20	Claim 2	Yes	No
21			
22	Claim 15	Yes	No
23			
24	Claim 16	Yes	No
25			
26	Claim 26	Yes	No
27			



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