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Attorneys for Defendants ALPHATEC HOLDINGS, INC.
AND ALPHATEC SPINE, INC.

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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.

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AGREED QUESTION 2: WILLFUL INFRINGEMENT

Question 2. Did NuVasive prove by a preponderance of the evidence that Alphatec willfully infringed the '832, '801, or '531 patents?

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

	(For NuVasive)	(For Alphatec)
'832 Patent	Yes _____	No _____
'801 Patent	Yes _____	No _____
'531 Patent	Yes _____	No _____

(Continue to Question 3)

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AGREED QUESTION 3: INVALIDITY

Did Alphatec prove by clear and convincing evidence that any of the claims of the '832, '801, or '531 patents are invalid as obvious?

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

'832 Patent (For Alphatec) (For NuVasive)

Claim 1 Yes _____ No _____

Claim 3 Yes _____ No _____

Claim 9 Yes _____ No _____

Claim 10 Yes _____ No _____

'801 Patent (For Alphatec) (For NuVasive)

Claim 1 Yes _____ No _____

Claim 2 Yes _____ No _____

Claim 15 Yes _____ No _____

Claim 16 Yes _____ No _____

Claim 26 Yes _____ No _____

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