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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

NUVASIVE, INC., a Delaware corporation,

Plaintiff,

v.

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

Defendants.

Case No. 18-cv-00347-CAB-MDD

MOVANT GREGORY LUCIER'S NOTICE OF MOTION AND MOTION TO QUASH OR MODIFY TRIAL SUBPOENA

Judge: Hon. Cathy Ann Bencivengo
Courtroom: 4C

PER CHAMBERS RULES, NO ORAL ARGUMENT UNLESS SEPARATELY ORDERED BY THE COURT

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Movant Gregory Lucier hereby moves that this Court quash or modify the trial subpoena, served upon him by Defendants Alphatec Holdings, Inc. and Alphatec Spine, Inc. (“Alphatec”), and commanding his appearance on February 28, 2022, at the upcoming trial in the above-captioned matter.

This Motion is based upon this Notice of Motion, the accompanying Memorandum of Points and Authorities, the supporting Declaration of Gregory Lucier, the pleadings, and exhibits on file herein, the arguments of counsel, any information presented at any hearing on this Motion, and such other matters as the Court may consider in connection with this Motion.

1 Dated: February 9, 2022

HILGERS GRABEN PLLC

2 By: /s/ Trent D. Tanner

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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 9th day of February, 2022, at San Diego, California.

By: /s/ Trent D. Tanner
Trent D. Tanner