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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

NUVASIVE, INC.,) NO.: IPR2013-00206
Petitioner,) IPR2013-00208
vs.)
WARSAW ORTHOPEDIC, INC.,)
Patent Owner.)

VIDEOTAPED DEPOSITION OF
BARTON SACHS, M.D.

9:09 a.m.

February 25, 2014

6650 Rivers Avenue

Charleston, South Carolina

Annette Pacheco, RPR, RMR, CCR-B-2153

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Veritext National Deposition & Litigation Services
866 299-5127

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John English

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Exhibit 2038	Declaration of Barton L. Sachs, M.D. in IPR2013-00206	19
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(Original Exhibits 2038, 2038 and 1027 have been attached to the original transcript.)

1 (Reporter disclosure made pursuant to
2 Article 8.B. of the Rules and Regulations of the
3 Board of Court Reporting of the Judicial Council
4 of Georgia.) 08:52:10

5 THE VIDEOGRAPHER: This is the beginning 09:07:10
6 of tape No. 1 in the deposition of Dr. Barton 09:07:32
7 Sachs in the matter of NuVasive, Inc. versus 09:07:36
8 Warsaw Orthopedic, Inc., Case No. IPR2013-00208 09:07:40
9 and Case No. IPR2013-00206. The date today is 09:07:48
10 February 25th, 2014. The time on the monitor is 09:07:57
11 9:09. 09:08:00

12 My name is Doug White and I'm the 09:08:01
13 videographer. The court reporter is 09:08:03
14 Annette Pacheco. We are with Huseby, 09:08:05
15 Incorporated. Counsel please introduce 09:08:08
16 yourselves after which the court reporter will 09:08:10
17 swear in the witness. 09:08:12

18 MR. SCHAEFER: I'm Steve Schaefer from 09:08:14
19 Fish & Richardson representing the Petitioner 09:08:16
20 NuVasive. 09:08:20

21 MR. HAWKINS: I'm Michael Hawkins from 09:08:23
22 Fish & Richardson representing the Petitioner 09:08:25
23 NuVasive. 09:08:27

24 MR. AMON: Michael Amon on behalf of the 09:08:29
25 Petitioner NuVasive. 09:08:30

1 MR. SPANGLER: Jonathan Spangler from 09:08:32
2 NuVasive. 09:08:33
3 MR. ENGLISH: John English from NuVasive. 09:08:35
4 MR. DAUCHOT: Luke Dauchot on behalf of 09:08:37
5 the patent owner. 09:08:40
6 MR. PAPAZIAN: Steve Papazian on behalf of 09:08:40
7 the patent owner. 09:08:41
8 MS. WICKRAMASEKERA: Nimalka 09:08:41
9 Wickramasekera on behalf of the patent owner and 09:08:43
10 the witness. 09:08:45
11 BARTON SACHS, M.D., 09:08:50
12 having been first duly sworn, was examined and 09:08:50
13 testified as follows: 09:08:50
14 EXAMINATION 09:08:50
15 BY MR. SCHAEFER: 09:08:50
16 Q. Dr. Sachs, I'm Steve Schaefer. As I 09:09:02
17 mentioned, I represent NuVasive in this matter. So 09:09:05
18 we're here to talk about -- 09:09:08
19 A. Nice to meet you. 09:09:09
20 Q. Thank you. So we're here to talk about 09:09:10
21 the '997 patent or U.S. Patent No. 8251997. That's 09:09:14
22 your understanding? 09:09:19
23 A. Yes, sir. 09:09:19
24 Q. You've had your deposition taken before on 09:09:20
25 a number of occasions? 09:09:25

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