

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

3 NUVASIVE, INC.

4 Petitioner

5 v.

6 WARSAW ORTHOPEDIC, INC.

7 Patent Owner

8 Patent Number: 8,251,997 B2

9 Issue Date: August 28, 2012

10 Title: METHOD FOR INSERTING AN ARTIFICIAL

11 IMPLANT BETWEEN TWO ADJACENT VERTEBRAE

12 ALONG A CORONAL PLANE

13 Case IPR2013-00206

14 and

15 Case IPR2013-00208

16
17
18
19
20 The deposition of PAUL MCAFEE, M.D., M.B.A.
21 was held on Friday, December 6, 2013, commencing at
22 3:50 p.m., at 20 South Charles Street, Suite 901,
23 Baltimore, Maryland 21201, before Ronald E. Bennett,
24 Notary Public.

25 Job No: 68459

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APPEARANCES :

ON BEHALF OF NUVASIVE, INC.:

TODD MILLER, ESQUIRE

Fish & Richardson

12390 El Camino Real

San Diego, California 92130

- AND -

STEPHEN SCHAEFER, ESQUIRE

Fish & Richardson

3200 RBC Plaza

60 South Sixth Street

Minneapolis, Minnesota 55402

APPEARANCES (Continued on the Next Page)

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PAUL MCAFEE, M.D., M.B.A.

APPEARANCES CONTINUED:

ON BEHALF OF WARSAW ORTHOPEDIC, INC.:

LUKE DAUCHOT, ESQUIRE

STEVEN PAPAZIAN, ESQUIRE

NIMALKA WICKRAMASEKERA, ESQUIRE

Kirkland & Ellis

333 South Hope Street

Los Angeles, California 90071

ALSO PRESENT: James Garrett, Esquire, VP NuVasive
Jonathan Spangler, Esquire, VP NuVasive

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Deposition of PAUL McAFEE, M.D., M.B.A.

December 6, 2013

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Mr. Dauchot	5
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Exhibit No.		Marked
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1

PROCEEDINGS

2

Whereupon,

3

PAUL MCAFEE, M.D., M.B.A.,

4

called as a witness, having been first duly sworn to

5

tell the truth, the whole truth, and nothing but the

6

truth, was examined and testified as follows:

7

EXAMINATION BY MR. DAUCHOT

8

BY MR. DAUCHOT:

9

Q. Good afternoon, Dr. McAfee. My name is

10

Luke Dauchot and I represent Warsaw Orthopedic, Inc.,

11

the patent owner, in two proceedings before the United

12

States Patent and Trademark Office, which are captured

13

IPR 2013 00206 and IPR 2013 00208.

14

You submitted one Declaration for each

15

proceeding. Is that correct?

16

A. Yes.

17

Q. All right. The Declaration submitted in

18

the 206 proceeding is marked NuVasive 1001. And I'm

19

handing that to you, Dr. McAfee. And the Declaration

20

submitted in the 208 proceeding --

21

What you are saying we have NuVasive 1011,

22

the same numbers for the different -- you okay with

23

that?

24

Off the record.

25

(Discussion off the record.)

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