SCOLIOSIS AND SPINE CENTER
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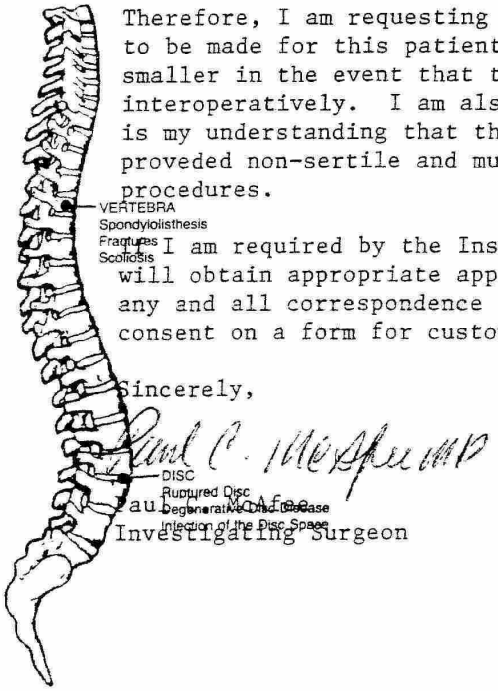
January 16, 1995

Richard Jansen
Vice President Regulatory and Clinical Affairs
Spine-Tech, Inc.
980 East Hennepin Avenue
Minneapolis, MN 55414

Dear Mr. Jansen:

I have been presented with REDACTED with HNP T6-T7 at the ~~T6-T7~~ T7-T8 level who has been treated conservatively for HNP ~~T6-T7~~ T7-T8. Because of the instability in the spine and my experience with the BAK device in the lumbar spine it is my opinion that it is the best treatment for this patient to use a similar device in the thoracic spine.



Therefore, I am requesting a threaded fusion cage of 8mm in diameter by 26mm long to be made for this patient. In addition, I will need a size slightly larger and smaller in the event that this size described above proves not to be adequate interoperatively. I am also requesting appropriately sized instrumentation. It is my understanding that this device and associated instrumentation will be proveded non-sertile and must be sterilized prior to use, using routine hospital procedures.

If I am required by the Institutional Review Board at St. Joseph Hospital, I will obtain appropriate approval for this custom device and will forward a copy of any and all correspondence to you. I will assume responsibility for obtaining consent on a form for custom products provided by Spine-Tech.

Sincerely,

Paul C. McAfee MD

Paul C. McAfee
Investigating Surgeon

Defendant's Exhibit
DTX-5190
Case No.: 3:08-CV-1512 MMA (MDD)