

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NUVASIVE, INC.

Petitioner

v.

WARSAW ORTHOPEDIC, INC.

Patent Owner

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Case IPR2013-00396

Patent No. 8,444,696

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**PATENT OWNER WARSAW ORTHOPEDIC, INC.'S  
NOTICE OF DEPOSITION OF DR. JOHN BRANTIGAN**

Mail Stop "PATENT BOARD"  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Case IPR2013-00396  
U.S. Patent No. 8,444,696  
Our Ref. 101.0051-06IR2

Pursuant to 37 C.F.R. § 42.53, Patent Owner Warsaw Orthopedic, Inc., by and through its counsel, hereby provides notice that it will conduct cross-examination by deposition of Dr. John Brantigan, as agreed by the parties, commencing at 9:30 a.m. PST on April 7, 2014 at the following location:

Naegeli Reporting Corporation

601 Union Street

Suite 1624

Seattle, WA 98101

Counsel for Petitioner NuVasive, Inc. has represented that Dr. Brantigan will appear at the date, time, and location indicated above. The cross-examination will be taken before a Notary Public or other officer authorized by law to administer oaths. It will be recorded using videographic and stenographic means.

Respectfully Submitted,

Dated: March 21, 2014

/Thomas H. Martin/  
Thomas H. Martin  
Registration No. 34,383

Case IPR2013-00396  
U.S. Patent No. 8,444,696  
Our Ref. 101.0051-06IR2

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Patent Owner Warsaw Orthopedic, Inc.'s Notice Of Deposition Of Dr. John Brantigan and Joint Stipulation To Modify Due Dates 1 And 2 In Scheduling Order were served in their entirety via electronic mail to APSI@fr.com (referencing Attorney Docket No. 13958-0113IP2; and cc'ing schaefer@fr.com and hawkins@fr.com):

Stephen R. Schaefer

Michael T. Hawkins

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Date of Service: March 21, 2014

Signature: /Thomas H. Martin/

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