

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALPHATEC HOLDINGS, INC. AND ALPHATEC SPINE, INC.
Petitioners,

v.

NUVASIVE, INC.,
Patent Owner.

Case No. IPR2019-00362
United States Patent No. 8,361,156

NOTICE OF DEPOSITION OF CARL R. MCMILLIN, PH.D.

Pursuant to 37 C.F.R. § 42.53(d), the undersigned, on behalf of Petitioners Alphatec Holdings, Inc. and Alphatec Spine, Inc. (“Petitioner” or “Alphatec”) by and through its attorneys, will conduct cross examination by deposition of Mark R. McMillin, Ph.D. commencing at 9:00AM (local time) on January 8, 2020, at DoubleTree by Hilton Durango, 501 Camino del Rio, Durango, CO 81301 or another mutually agreeable location. The depositions will be taken before a notary public or other officer authorized by law to administer oaths and will be recorded by stenographic means and may be recorded by video and/or audiotape.

The arrangement for the reporter will be made by counsel for Alphatec.

Date: December 27, 2019

Respectfully submitted,

/Jovial Wong/

Jovial Wong

Reg. No. 60,115

WINSTON & STRAWN LLP

1700 K Street, N.W.

Washington, DC 20006-3817

Tel: (202) 282-5200

Fax: (202) 282-5100

Email: jwong@winston.com

Lead Counsel for Petitioners

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a), I certify that, on December 27, 2019, true and correct copies of the foregoing **NOTICE OF DEPOSITION OF CARL R. MCMILLIN, PH.D.** was served by via email to the following counsel for the Patent Owner:

Michael T. Rosato (Reg. No. 52,182)
WILSON SONSINI GOODRICH & ROSATI
701 Fifth Avenue, Suite 5100
Seattle, WA 98104
Tel.: 206-883-2529
Fax: 206-883-2699
Email: mrosato@wsgr.com

Paul D. Tripodi II (Reg. No. 40,847)
WILSON SONSINI GOODRICH & ROSATI
633 West Fifth Street, Suite 1550
Los Angeles, CA 90071
Tel.: 323-210-2902
Fax: 866-974-7329
Email: ptripodi@wsgr.com

Sonja R. Gerrard (Reg. No. 72,802)
WILSON SONSINI GOODRICH & ROSATI
701 Fifth Avenue, Suite 5100
Seattle, WA 98104-7036
Tel.: 206-883-2649
Fax: 206-883-2699
Email: sgerrard@wsgr.com

Jad A. Mills (Reg. No. 63,344)
WILSON SONSINI GOODRICH & ROSATI
701 Fifth Avenue, Suite 5100
Seattle, WA 98104-7036
Tel.: 206-883-2554

Fax: 206-883-2699
Email: jmills@wsgr.com

Date: December 27, 2019

Respectfully submitted,

/Jovial Wong/
Jovial Wong (Reg. No. 60,115)
Lead Counsel for Petitioners