**NUVASIVE INC** Form 4/A February 28, 2008

# FORM 4

### UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

**SECURITIES** 

OMB 3235-0287

Number: January 31, Expires:

2005 Estimated average

0.5

**OMB APPROVAL** 

burden hours per response...

5. Relationship of Reporting Person(s) to

if no longer subject to Section 16. Form 4 or Form 5 obligations may continue.

Check this box

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

1(b).

(Print or Type Responses)

1. Name and Address of Reporting Person \*

02/21/2008

Stock

See Instruction

| 1. Name and Address of Reporting Person * Valentine Keith  (Last) (First) (Middle)  4545 TOWNE CENTRE COURT |   |  | 2. Issuer Name and Ticker or Trading Symbol NUVASIVE INC [NUVA] 3. Date of Earliest Transaction (Month/Day/Year) 02/21/2008 |  |            |        |             | 5. Relationship of Reporting Person(s) to Issuer  (Check all applicable)  Director 10% OwnerX_ Officer (give title Other (specify below) President and COO |  |  |  |  |
|---|---|--|---|--|------------|--------|-------------|--|--|--|--|--|
|   |   |  |   |  |            |        |             |  |  |  |  |  |
| (City)  | (State)                                 | (Zip)  | Tabl  | e I - Non-l                            | Derivative | Secu   | rities Acqu | iired, Disposed of   | , or Beneficial  | ly Owned   |  |  |
| 1.Title of<br>Security<br>(Instr. 3)  | 2. Transaction Date<br>(Month/Day/Year) | e 2A. Deemed<br>Execution Dany<br>(Month/Day | Date, if  | 3.<br>Transactic<br>Code<br>(Instr. 8) |            | sed of | ` ′         | 5. Amount of<br>Securities<br>Beneficially<br>Owned<br>Following<br>Reported<br>Transaction(s)<br>(Instr. 3 and 4)   | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature o<br>Indirect<br>Beneficial<br>Ownership<br>(Instr. 4) |  |  |
| Common  | 00/01/0000                              |  |   | <b>a</b> (1)                           | 8,000      | _      | \$          | 4.40.  | -  |  |  |  |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

 $S^{(1)}$ 

Persons who respond to the collection of SEC 1474 information contained in this form are not (9-02)required to respond unless the form displays a currently valid OMB control number.

4,405

D

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

(2)

D

39.5267

#### Edgar Filing: NUVASIVE INC - Form 4/A

| 1. Title of<br>Derivative<br>Security<br>(Instr. 3) | 2.<br>Conversion<br>or Exercise<br>Price of<br>Derivative<br>Security | 3. Transaction Date<br>(Month/Day/Year) | 3A. Deemed<br>Execution Date, if<br>any<br>(Month/Day/Year) | 4.<br>Transactio<br>Code<br>(Instr. 8) | 5.  onNumber of Derivative Securities Acquired (A) or Disposed of (D) |                     | ate                | 7. Title and<br>Amount of<br>Underlying<br>Securities<br>(Instr. 3 and 4) | of<br>ng<br>s | 8. Price of<br>Derivative<br>Security<br>(Instr. 5) | 9. Nu<br>Deriv<br>Secur<br>Bene<br>Owne<br>Follo<br>Repo<br>Trans<br>(Instr |
|---|---|---|---|--|---|---------------------|--------------------|---|---------------|---|---|
|   |   |   |   | Code V                                 | (Instr. 3, 4, and 5)  (A) (D)   | Date<br>Exercisable | Expiration<br>Date | or<br>Title Nu<br>of  | umber         |   |   |

# **Reporting Owners**

Reporting Owner Name / Address Relationships

Director 10% Owner Officer Other

Valentine Keith

4545 TOWNE CENTRE COURT President and COO

SAN DIEGO, CA 92121

## **Signatures**

/s/ Jason Hannon, Attorney-in-fact 02/28/2008

\*\*Signature of Reporting Person Da

## **Explanation of Responses:**

- \* If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) The sale reported on this Form 4 was effected pursuant to a Rule 10b5-1 trading plan adopted by the Reporting Person on September 14, 2007.
- (2) The original Form 4 report filed on February 22, 2008 incorrectly stated the number of shares sold.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.

Reporting Owners 2