Edgar Filing: NUVASIVE INC - Form 4

NUVASIVI Form 4	E INC									
October 16,	2006									
,									OMB AF	PROVAL
FORM	4 UNITED	STATES		RITIES . shingtor			ANGE CO	OMMISSION	OMB Number:	3235-0287
Check t if no lor subject Section Form 4 Form 5 obligation may con <i>See</i> Inst 1(b).	nger to 16. or Filed pu ons stinue.	rsuant to S (a) of the l	F CHAN Section 1 Public U	NGES IN SECU 16(a) of t Itility Ho	N BENEI RITIES he Secur Iding Co	F ICL ities I mpar	Exchange	Act of 1934, 1935 or Section	Expires: Estimated a burden hou response	
(Print or Type	Responses)									
	Address of Reporting	Person <u>*</u>	Symbol	er Name an SIVE IN				5. Relationship of I Issuer		
(Last)	(First) (Middle)	3. Date c	of Earliest 7	Fransactior	1		(Check	all applicable)
4545 TOW	'NE CENTRE CO	OURT	(Month/I 10/13/2	Day/Year) 2006				Director X Officer (give below) CFO an		Owner er (specify P
	(Street)			endment, D onth/Day/Ye	-	al		6. Individual or Joi Applicable Line) _X_ Form filed by O		
SAN DIEC	GO, CA 92121							Form filed by Me Person		
(City)	(State)	(Zip)	Tab	le I - Non-	Derivative	e Secu	rities Acqu	iired, Disposed of,	or Beneficial	ly Owned
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)		Date, if	Code	omr Dispo (Instr. 3,	sed of		Securities Beneficially Owned Following Reported Transaction(s)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
G				Code V	Amount		Price	(Instr. 3 and 4)		
Common Stock (1)	10/13/2006			М	7,500	А	\$ 0.63	47,500	D	
Common Stock (1)	10/13/2006			S <u>(2)</u>	7,500	D	\$ 21.7417	40,000	D	

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

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

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transactic Code (Instr. 8)	5. Number tionof Derivative Securities) Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)		Securities Acquired (A) or Disposed of (D) (Instr. 3, 4,		6. Date Exer Expiration D (Month/Day/	ate	7. Title and A Underlying S (Instr. 3 and	Securities	8. H Der Sec (Ins
				Code V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares			
Stock Option (Right to Buy)	\$ 0.63	10/13/2006		М	7	7,500	<u>(3)</u>	01/15/2013	Common Stock	7,500			

Reporting Owners

Reporting Owner Name / Address	Relationships						
	Director	10% Owner	Officer	Other			
OBOYLE KEVIN C 4545 TOWNE CENTRE COURT SAN DIEGO, CA 92121			CFO and Executive VP				
Signatures							

/s/ Jason Hannon,	10/16/2006
Attorney-in-fact	10/10/2000

**Signature of Reporting Person

Date

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).

- The shares sold were acquired contemporaneously upon the cashless exercise of a stock option at an exercise price of \$0.63 per share. (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, (2)2005.

This option is immediately exercisable, but shares purchased under this option are subject to repurchase by the Issuer at the option exercise price to the extent the Reporting Person has not vested in such shares as of the date of the Reporting Person's termination of

(3) service to the Issuer. 25% of the total shares subject to the option vested on January 15, 2004, which was the first anniversary of the date of grant; the remaining shares vest in 36 equal monthly installments thereafter.

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.