

Miles Patrick
Form 4
February 26, 2009

FORM 4 UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

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

(Print or Type Responses)

1. Name and Address of Reporting Person *
Miles Patrick

2. Issuer Name and Ticker or Trading Symbol
NUVASIVE INC [NUVA]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)
7475 LUSK BLVD.

(Street)

3. Date of Earliest Transaction (Month/Day/Year)
02/24/2009

____ Director
 Officer (give title below)
____ 10% Owner
____ Other (specify below)
EVP, Marketing and Development

SAN DIEGO, CA 92121

4. If Amendment, Date Original Filed (Month/Day/Year)

6. Individual or Joint/Group Filing (Check Applicable Line)
 Form filed by One Reporting Person
 Form filed by More than One Reporting Person

(City) (State) (Zip)

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Ownership (Instr. 4)
			Code	V Amount (A) or (D) Price			
Common Stock	02/24/2009		M	1,352 A \$ 9.5	2,822	D	
Common Stock <u>(1)</u>	02/24/2009		S ⁽²⁾	1,352 D \$ 35.9767	1,470	D	
Common Stock	02/24/2009		M	1,148 A \$ 18.31	3,970	D	
Common Stock <u>(3)</u>	02/24/2009		S ⁽²⁾	1,148 D \$ 35.9767	1,470	D	

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

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- (3) The shares sold were acquired contemporaneously upon the cashless exercise of a stock option at an exercise price of \$18.31 per share
- (4) 25% of the total shares subject to the option vested on January 3, 2007 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.

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