

Hannon Jason  
 Form 4  
 September 30, 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 \*  
 Hannon Jason

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)  
 09/28/2009

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)  
 SVP and General Counsel

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 or Price		
Common Stock	09/28/2009		M		500 A \$ 16.24	1,725	D
Common Stock	09/28/2009		F		202 <sup>(1)</sup> D \$ 40.31	1,523	D
Common Stock <sup>(2)</sup>	09/29/2009		S <sup>(3)</sup>		298 D \$ 40.192	1,225	D
Common Stock	09/28/2009		M		15,926 A \$ 16.24	17,151	D
Common Stock	09/28/2009		F		6,417 <sup>(1)</sup> D \$ 40.31	10,734	D

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Common Stock <u>(2)</u>	09/29/2009	S <sup>(3)</sup>	9,509	D	\$ 40.192	1,225	D
Common Stock	09/28/2009	M	3,547	A	\$ 18.31	4,772	D
Common Stock	09/28/2009	F	<u>1,612</u> <sup>(4)</sup>	D	\$ 40.31	3,160	D
Common Stock <u>(2)</u>	09/29/2009	S <sup>(3)</sup>	1,935	D	\$ 40.192	1,225	D

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

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(9-02)

**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. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)		
				Code	V (A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Stock Option (Right to Buy)	\$ 16.24	09/28/2009		M	500	06/21/2009	06/21/2015	Common Stock	500
Stock Option (Right to Buy)	\$ 16.24	09/28/2009		M	15,926	06/21/2009	06/21/2015	Common Stock	15,926
Stock Option (Right to Buy)	\$ 18.31	09/28/2009		M	3,547	<u>(5)</u>	01/03/2016	Common Stock	3,547

## Reporting Owners

Reporting Owner Name / Address

Relationships

Director 10% Owner Officer Other

Hannon Jason  
7475 LUSK BLVD.  
SAN DIEGO, CA 92121

SVP and General Counsel

## Signatures

/s/ Jason  
Hannon

09/30/2009

\*\*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).
- (1) Shares withheld at the election of the Reporting Person to satisfy payment of the option exercise price in connection with an exercise of a stock option granted in June 2005.
  - (2) The shares sold were acquired upon the net exercise of a stock option.
  - (3) The sale reported on this Form 4 was effected pursuant to a Rule 10b5-1 trading plan adopted by the Reporting Person on September 9, 2008.
  - (4) Shares withheld at the election of the Reporting Person to satisfy payment of the option exercise price in connection with an exercise of a stock option granted in January 2006.
  - (5) 25% of the total shares subject to the option vested on January 3, 2007 which was the first anniversary of the date of the 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.