

NUVASIVE INC  
Form 8-K  
January 23, 2009

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**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549  
Form 8-K**

**Current Report  
Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934**

**Date of Report (Date of earliest event reported): January 23, 2009**

**NUVASIVE, INC.**

(Exact name of registrant as specified in its charter)

<b>Delaware</b> (State or Other Jurisdiction of Incorporation)	<b>000-50744</b> (Commission File Number)	<b>33-0768598</b> (I.R.S. Employer Identification Number)
<b>7475 Lusk Boulevard, San Diego, California 92121</b> (Address of principal executive offices, with zip code)		
<b>(858) 909-1800</b> (Registrant's telephone number, including area code)		

**n/a**

(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (*see* General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Item 2.02 Results of Operations and Financial Condition**

On January 23, 2009, NuVasive, Inc. issued a press release announcing preliminary unaudited financial results for the 2008 fiscal year and providing guidance for financial results for the 2009 fiscal year. A copy of this press release is furnished as Exhibit 99.1 hereto.

**Item 9.01 Financial Statements and Exhibits**

**(d) Exhibits**

Exhibit 99.1      Press release issued by NuVasive, Inc. on January 23, 2009.

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**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**NUVASIVE, INC.**

Date: January 23, 2009

By: /s/**Alexis V. Lukianov**  
Alexis V. Lukianov  
Chairman and Chief Executive Officer

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**EXHIBIT INDEX**

<b>Exhibit Number</b>	<b>Description of Document</b>
99.1	Press release issued by NuVasive, Inc. on January 23, 2009.

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