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FORM 4

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

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 * HOWE LESLEY H

(Last) (First) (Middle)

7475 LUSK BLVD.

(Street)

(City)

SAN DIEGO, CA 92121

2. Issuer Name and Ticker or Trading

Symbol

NUVASIVE INC [NUVA] 3. Date of Earliest Transaction

(Month/Day/Year) 05/25/2010

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

5. Relationship of Reporting Person(s) to Issuer

OMB APPROVAL

3235-0287

January 31,

2005

0.5

OMB

Number:

Expires:

response...

Estimated average

burden hours per

(Check all applicable)

_X__ Director 10% Owner Other (specify Officer (give title below) below)

6. Individual or Joint/Group Filing(Check Applicable Line)

X Form filed by One Reporting Person Form filed by More than One Reporting Person

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

displays a currently valid OMB control

1. Title of 2. Transaction Date 2A. Deemed Security (Month/Day/Year) (Instr. 3)

(State)

Execution Date, if (Month/Day/Year)

(Zip)

4. Securities TransactionAcquired (A) or Code Disposed of (D) (Instr. 8) (Instr. 3, 4 and 5)

(A)

Code V Amount (D) Price

number.

or

5. Amount of Securities Beneficially Owned Following Reported Transaction(s)

(Instr. 3 and 4)

6. Ownership 7. Nature of Form: Direct Indirect (D) or Indirect Beneficial Ownership (I) (Instr. 4) (Instr. 4)

Persons who respond to the collection of SEC 1474 information contained in this form are not (9-02)required to respond unless the form

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

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

(Instr. 8)

3. Transaction Date 3A. Deemed 1. Title of Derivative Conversion (Month/Day/Year) Security or Exercise (Instr. 3) Price of

Execution Date, if (Month/Day/Year)

5. Number Transaction of Derivative Expiration Date Code Securities

Acquired

6. Date Exercisable and (Month/Day/Year)

7. Title and Amount of 8. l **Underlying Securities** De (Instr. 3 and 4) Sec (In

1

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Derivative (A) or Security Disposed of (D) (Instr. 3, 4,

(Instr. 3, 4 and 5)

Code V (A) (D) Date Expiration Title Amount Exercisable Date or

Number of Shares

Stock

Option (Right to \$39.84 05/25/2010 A $\frac{6,000}{(1)}$ $\frac{(2)}{(1)}$ 05/25/2020 $\frac{Common}{Stock}$ 6,000

Buy)

Reporting Owners

Reporting Owner Name / Address Relationships

Director 10% Owner Officer Other

HOWE LESLEY H
7475 LUSK BLVD. X
SAN DIEGO, CA 92121

Signatures

/s/ Jason Hannon, Attorney-in-fact 05/27/2010

**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).
- This option was granted pursuant to the Issuer's 2004 Equity Incentive Plan which provides for an automatic annual grant of an option to purchase 6,000 shares of common stock to each non-employee director on the date of each annual stockholders meeting. The 2010 annual stockholders meeting occurred on May 25, 2010.
- (2) This option vests and becomes exercisable in 12 equal installments on each monthly anniversary of the date of grant (May 25, 2010). 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.

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