

Edgar Filing: NUVASIVE INC - Form 8-K

(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))

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§ 230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§ 240.12b-2 of this chapter).

Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

Item 2.02 Results of Operations and Financial Condition.

On October 24, 2017, NuVasive, Inc. (the “Company”) issued a press release (the “Earnings Press Release”) announcing its financial results for the quarter ended September 30, 2017. A copy of the Earnings Press Release is furnished as Exhibit 99.1 to this Current Report.

Item 7.01 Regulation FD Disclosure.

During a conference call scheduled to be held at 1:30 p.m. Pacific Time on October 24, 2017, the Company’s Chairman and Chief Executive Officer and Chief Financial Officer will discuss the Company’s results for the quarter ended September 30, 2017 and the Company’s outlook for the year ending December 31, 2017. The Company’s slide presentation for the conference call is furnished as Exhibit 99.2 to this Current Report.

Item 8.01 Other Events.

On October 24, 2017, the Company issued a press release (the “Share Repurchase Press Release”) announcing that its Board of Directors approved a program to purchase up to \$100 million of the Company’s common stock over a three-year period commencing October 25, 2017. A copy of the Share Repurchase Press Release is furnished as Exhibit 99.3 to this Current Report.

The information contained in this Current Report and the Exhibits hereto shall not be deemed “filed” for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the “Exchange Act”), or incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such a filing.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits.

| Exhibit No. | Description |
|-------------|--|
| 99.1 | <u>Earnings Press Release issued by NuVasive, Inc. on October 24, 2017</u> |
| 99.2 | <u>Slide presentation</u> |
| 99.3 | <u>Share Repurchase Press Release issued by NuVasive, Inc. on October 24, 2017</u> |

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.

By: /s/ Rajesh Asarpota
Rajesh Asarpota

Date: October 24, 2017 Executive Vice President and Chief Financial Officer