

Introduction to the Conflict Minerals Legislation

May 30, 2014

On August 22, 2012, the final rule regarding sourcing of conflict minerals under Section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the Dodd-Frank Act) was approved by the U.S. Securities and Exchange Commission ("SEC"). The rule imposes reporting requirements on publicly traded companies subject to the SEC to report annually the presence of conflict minerals originating in the Democratic Republic of the Congo or adjoining countries in the products they manufacture or contract to manufacture whereby the conflict minerals are necessary to the functionality or production of a product. Conflict minerals under the Act are specifically identified as tantalum, tin, gold or tungsten. NuVasive[®] is committed to taking all steps to comply with the legislation and is implementing appropriate due-diligence processes to meet our obligations. NuVasive is committed to sourcing components and materials from companies that share our values around human rights, ethics and environmental responsibility.

NuVasive expects its suppliers to commit to processes designed to ensure the responsible sourcing of minerals. Thus, suppliers must have a policy to reasonably assure that the tantalum, tin, tungsten and gold in the products they manufacture are conflict free. NuVasive expects suppliers to establish their own due diligence program to achieve conflict-free supply chains. In the event NuVasive determines a supplier to not be conflict free, the Company will expect the supplier to remediate such matters or consider using alternative suppliers.

To ensure compliance with the applicable laws under the act and put in appropriate diligence NuVasive will:

- Require that all of its suppliers who provide products or components to NuVasive that contain conflict minerals to complete annual surveys regarding the country of origin of any conflict minerals contained in such products or components.
- Require that all suppliers agree to cooperate with NuVasive in connection with any due diligence that NuVasive chooses to perform with respect to country of origin inquiries.
- Require a supplier, when NuVasive deems it necessary, to provide reasonable proof of the due diligence performed by the supplier to support the country of original certification provided by the supplier to NuVasive.

The policy will apply to all NuVasive products manufactured by, or contracted to manufacture by NuVasive anywhere in the world, which will include all products that contain those potential conflict minerals that are necessary to the functionality or production of the product.