

Edgar Filing: Alphatec Holdings, Inc. - Form 8-K/A

Alphatec Holdings, Inc.  
Form 8-K/A  
October 21, 2015

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, DC 20549

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Amendment No. 1 to Form 8-K  
on Form 8-K/A

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CURRENT REPORT

Pursuant to Section 13 or 15(d)  
of the Securities Exchange Act of 1934  
Date of Report (Date of earliest event reported): March 15, 2014  
ALPHATEC HOLDINGS, INC.  
(Exact Name of Registrant as Specified in its Charter)

Delaware  
(State or Other Jurisdiction  
of Incorporation)

000-52024  
(Commission  
File Number)

20-2463898  
(IRS Employer  
Identification No.)

5818 El Camino Real, Carlsbad, CA  
(Address of Principal Executive Offices)

92008  
(Zip Code)

Registrant's telephone number, including area code: (760) 431-9286  
(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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## EXPLANATORY NOTE

This Amendment No. 1 to the Current Report on Form 8-K/A (this “Amendment”) amends the Current Report on Form 8-K (the “Original Report”) filed by Alphatec Holdings, Inc. with the Securities and Exchange Commission on March 19, 2014. This Amendment is being filed solely for the purpose of amending Exhibit 10.1 and Exhibit 10.3 under Item 9.01 of the Original Report in connection with a request for confidential treatment of portions of such exhibits.

This Amendment continues to speak as of March 19, 2014, the filing date of the Original Report, and except as described above, no other changes have been made to the Original Report and this Amendment does not modify or update disclosures in the Original Report and does not reflect subsequent events occurring after the date of the Original Report. Accordingly, this Amendment should be read in conjunction with the Original Report.

Item 9.01 Financial Statements and Exhibits.  
(d) Exhibits.

Exhibit No.	Description
4.1*	Form of Warrant to Purchase Common Stock
4.2*	Registration Rights Agreement, dated March 17, 2014, by and among Alphatec Holdings, Inc., Deerfield Private Design Fund II, L.P., Deerfield Private Design International II, L.P., Deerfield Special Situations Fund, L.P. and Deerfield Special Situations International Master Fund, L.P.
10.1†	Facility Agreement, dated March 17, 2014, by and among Alphatec Holdings, Inc., Deerfield Private Design Fund II, L.P., Deerfield Private Design International II, L.P., Deerfield Special Situations Fund, L.P., and Deerfield Special Situations International Master Fund, L.P.
10.2*	Guaranty and Security Agreement
10.3†	First Amendment to Amended and Restated Credit, Security and Guaranty Agreement, dated March 17, 2014, with MidCap Funding IV, LLC as Administrative Agent and lender and other lenders from time to time a party thereto

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\* Previously filed with our Current Report on Form 8-K on March 19, 2014, which this Form 8-K/A amends.

† Confidential treatment has been requested from the Securities and Exchange Commission as to certain portions of this document.

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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.

ALPHATEC HOLDINGS, INC.  
(Registrant)

Date: October 21, 2015

/s/ Eburn S. Garner, Esq.  
Eburn S. Garner, Esq.  
General Counsel and Senior Vice President