

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 08-cv-02048-REB-KLM

(Consolidated with Civil Action No. 08-cv-02055-CMA-CBS, 08-cv-02078-MSK-BNB, 08-cv-02267-MSK-CBS, 08-cv-02420-PAB, 08-cv-02603-MSK-BNB)

In re SPECTRANETICS CORPORATION SECURITIES LITIGATION

ORDER

The matter has come before the Court on the Motion to Dismiss Lead Plaintiff's Consolidated Class Action Complaint and Memorandum in Support Thereof brought by Defendants The Spectranetics Corporation, Guy A. Childs, Emile Geisenheimer, Jonathan W. McGuire, John G. Schulte and Craig M. Walker, M.D. (collectively the "Defendants") (the "Motion to Dismiss") and Defendants' Motion Seeking Judicial Notice in Support of the Motion to Dismiss (the "Motion Seeking Judicial Notice"), all parties having received notice. The Court has considered the Motion to Dismiss and the Motion Seeking Judicial Notice and the Declaration of Richard H. Zelichov filed concurrently therewith, and the exhibits thereto, as well as any opposition briefs and reply briefs thereto, and the records and files in this action.

NOW, THEREFORE, it is ORDERED, ADJUDGED AND DECREED as follows:

1. The Motion Seeking Judicial Notice is GRANTED in its entirety;
2. The Motion to Dismiss is GRANTED in its entirety;
3. Plaintiff's claims against Defendants are DISMISSED in their entirety, WITH PREJUDICE; and

4. Defendants are DISMISSED from the present action,
WITH PREJUDICE.

ENTERED this _____ day of _____, 2009.

The Honorable Robert E. Blackburn
United States District Court
District of Colorado