

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

---

LEAD PLAINTIFFS' SUPPLEMENTAL MEMORANDUM IN SUPPORT OF  
UNOPPOSED MOTION FOR FINAL APPROVAL OF THE PROPOSED SETTLEMENT,  
PLAN OF ALLOCATION, AND FINAL CERTIFICATION OF CLASS

---

On September 7, 2010, the Parties to this Action filed an Unopposed Joint Motion for Preliminary Approval of Proposed Class Action Settlement and Memorandum in Support Thereof. On September 13, 2010, the Court issued its Order Preliminarily Approving Settlement and Approving the Form and Manner of Notice. Pursuant to the Court's Order, notice was disseminated to the Class pursuant to the terms of the Stipulation of Settlement, and as approved by the Court<sup>1</sup>.

As set forth in the notice provided to members of the proposed Settlement Class, Class Members had until November 23, 2010 to raise any objection to the terms of the settlement and/or Lead Counsel's request for attorneys' fees, or to request to be excluded from the Settlement Class. As of December 20, 2010, only three members of

---

<sup>1</sup> See Declaration of Daniel J. Polizzi of Rust Consulting, Inc. Regarding Notice To The Class, attached as Ex. 3 to the Joint Declaration of Mark S. Goldman and David A.P. Brower in Support of Final Approval of the Proposed Settlement, the Proposed Plan of Allocation, Final Certification of the Class, and Application for an Award of Attorneys' Fees.

the proposed Settlement Class have requested exclusion,<sup>2</sup> and no class member has filed an objection. Lead Plaintiff respectfully submits that this reaction of the Class to the terms of the proposed settlement supports Lead Plaintiffs' claim that the terms of the settlement are fair and reasonable and that the Settlement should be approved.

Dated: December 21, 2010

Respectfully submitted,

**Labaton Sucharow LLP**

/s/ Mark S. Goldman  
David J. Goldsmith  
Mark S. Goldman  
140 Broadway  
New York, NY 10005  
Tel: (212) 907-0700  
Fax: (212) 818-0477  
dgoldsmith@labaton.com  
mgoldman@labaton.com

*Counsel for Lead Plaintiff*

**The Shuman Law Firm**

Kip B. Shuman  
885 Arapahoe Avenue  
Boulder, CO 80302  
Tel: (303) 861-3003  
Fax: (303) 484-4886  
Kip@Shumanlawfirm.com

*Counsel for Lead Plaintiff*

**Brower Piven,  
A Professional Corporation**

Charles J. Piven  
1925 Old Valley Road  
Stevenson, MD 21153  
Tel: (410) 332-0030  
Fax: (410) 685-1300  
piven@browerpiven.com

*Counsel for Lead Plaintiff*

---

<sup>2</sup> See Request for Exclusion filed by Marshall W. Vagle and Jennifer L. Vagle, Forrester Financial LLC, and Ted Karkus, attached hereto as Ex. A.