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ENTERED ON DOCKET
R. 79 (a)

AUG 30 2004

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

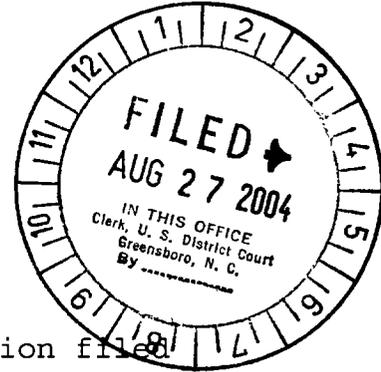
In re CREE, INC.
SECURITIES LITIGATION

)
)

MASTER FILE NO. 1:03CV00549
CLASS ACTION

O R D E R

BULLOCK, District Judge



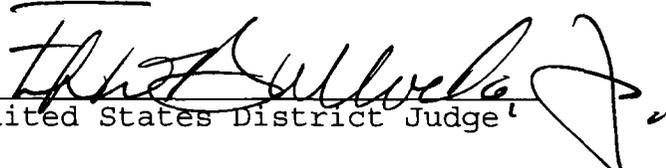
For the reasons set forth in the memorandum opinion filed contemporaneously herewith,

IT IS ORDERED that Defendants' motion to dismiss [Doc. #42] is **GRANTED**, and Plaintiffs' consolidated class action complaint is **DISMISSED** without prejudice. Plaintiffs shall have forty-five (45) days from the issuance of this order to file an amended complaint in accordance with the pleading requirements of the PSLRA.

IT IS FURTHER ORDERED that Plaintiffs' motion [Doc. #49] to strike is **GRANTED** as to Defendants' Exhibits 8, 21, 22, 23, 24, 25, 30, and 47 attached to the Declaration of Nicholas I. Porritt in Support of Defendants' Motion to Dismiss, and Defendants' Exhibits 8, 21, 22, 23, 24, 25, 30, and 47 attached to the Declaration of Nicholas I. Porritt in Support of Defendants' Motion to Dismiss are **STRICKEN**.

IT IS FURTHER ORDERED that Plaintiffs' motion [Doc. #49] to strike is **DENIED** as to Defendants' Exhibit 18 attached to the Declaration of Nicholas I. Porritt in Support of Defendants' Motion to Dismiss.

August 27, 2004


United States District Judge