

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

OPOWER, INC.

Plaintiff,

v.

EFFICIENCY 2.0, LLC

Defendant.

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Civil Action No. _____

DECLARATION OF ALEX LASKEY IN SUPPORT OF
OPOWER, INC.’S MOTION FOR PRELIMINARY INJUNCTION

I, Alex Laskey, declare and state as follows:

1. Except where otherwise indicated, I submit this declaration to the best of my personal knowledge in support of Opower, Inc.’s Motion for Preliminary Injunction.

2. I am President & co-Founder of Opower, Inc.

3. In November 2008, I attended the Behavior, Energy and Climate Change Conference at the Hyatt Regency Hotel in Sacramento, California. On Monday morning, November 17, 2008, I participated in a panel at 11am entitled “Leveraging Social Norms.” Attached as Exhibit 5 to the Appendix of Exhibits is a true and correct copy of excerpts from the agenda for that conference.

4. My talk on the panel was given the formal title “Individualized Home Energy Reports to Transform Behavior and Supercharge Existing Efficiency Efforts.” I gave a presentation as part of my talk, which I titled “Behaving Ourselves: How Our Neighbors and Amazon.com Can Help Save the Planet.” During my talk, I described our products, showed a

few detailed screenshots of Opower's Home Energy Reports and talked about the impact we were already having in Sacramento and believed we would have elsewhere. Attached as Exhibit 18 to the Appendix of Exhibits is a true and correct copy of excerpts from my presentation.

5. Thomas Scaramellino, founder of Efficiency 2.0, LLC, (known at that time as "Climate Culture") attended the conference and my session, and saw the slides that I presented. Mr. Scaramellino and I spent a little bit of time talking later during the conference.

6. On the morning of November 19th, I had a meeting in the lobby of the Hyatt. Mr. Scaramellino sat near me at a hotel bar when I attended that meeting.

7. Later that afternoon we were on the same connecting flight out of Sacramento and he greeted me and handed me his card.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at ARLINGTON, VA, on November 14, 2011.

/s/ 
Alexander Laskey

CERTIFICATE OF SERVICE

I hereby certify that the above document is being filed contemporaneously with Complaint in this action, and a true and correct copy of the above document will be served by hand upon Efficiency 2.0 along with service of the Complaint on November 15, 2011.

/s/ Peter J. Karol/
Peter J. Karol