IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

E. FRED SCHUBERT,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 12-922-GMS
	:	
CREE, INC.,	:	JURY TRIAL DEMANDED
	:	
Defendant.	:	

DECLARATION OF ROSEMARY J. PIERGIOVANNI
IN SUPPORT OF E. FRED SCHUBERT'S ANSWERING BRIEF
IN OPPOSITION TO DEFENDANT'S MOTION TO TRANSFER

I, Rosemary J. Piergiovanni, declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. I am one of the attorneys representing Plaintiff, E. Fred Schubert, in this action. I submit this declaration in support of E. Fred Schubert's Answering Brief In Opposition To Defendant's Motion To Transfer Venue To The Middle District Of North Carolina. I make this declaration based upon personal knowledge of which I am competent to testify.

2. A true and correct copy of a webpage entitled "Licensing" from Cree Inc.'s website found at http://www.cree.com/about-cree/licensing is attached hereto as Exhibit 1.

3. A true and correct copy of Cree Inc.'s August 7, 2012 press release entitled, "Cree Reports Financial Results for the Fourth Quarter and Fiscal Year 2012" found at http://investor.cree.com/releasedetail.cfm?ReleaseID=698782 is attached hereto as Exhibit 2.

4. A true and correct copy of excerpts from the Form 10-K filed by Cree, Inc. for the fiscal year ending June 24, 2012 is attached hereto as Exhibit 3.

5. A true and correct copy of an offer to sell "Ecosmart Powered by Cree LED 6 inch Bulb Recessed Light" found at http://www.amazon.com/Ecosmart-Powered-Recessed-Light-Dimmable/dp/B004OP84RS is attached hereto as Exhibit 4.

6. A true and correct copy of an offer to sell Cree Inc.'s "EcoSmart 6 in. 9.5-Watt LED Downlight(E)" found at http://www.homedepot.com/h_d1/N-5yc1v/R-202240932/h_d2/ProductDisplay?catalogId=10053&langId=-1&keyword=ecosmart+cree&storeId=10051#.UEyPlo1mQUo is attached hereto as Exhibit 5.

DATED: September 24, 2012

/s/ Rosemary J. Piergiovanni
Rosemary J. Piergiovanni