

EXHIBIT D

Song, Sharon

From: ~Kastens, Kristopher
Sent: Sunday, May 27, 2018 11:46 AM
To: Glucoft, Josh
Cc: ~Andre, Paul; ~Hannah, James; ~Kobialka, Lisa; ~Lee, Michael; ~Manes, Austin; ~Nguyen, Stephanie; Carson, Rebecca; Curran, Casey; Wang, Kevin; Holland, Eileen
Subject: RE: Finjan v. Juniper - Amending Complaint

Josh,

We will call you Tuesday at 9:30AM. Regarding claim construction, Finjan is willing to stipulate to modification the current claim construction schedule to accommodate the '731 Patent. A possible modification could include:

- May 31st - Finjan Files Stipulated Order and Serves Infringement Contentions for the '731 Patent
- June 14th - Parties Serve Supplemental PLR 4-1 Disclosures with '731 Patent
- June 28th - Parties Serve Supplemental PLR 4-2 Disclosures with '731 Patent
- July 19th – Parties File 4-3 Combined Joint Claim Construction Statement

Subsequent dates would then progress according the Patent Local Rules. If Juniper has an alternative proposal, please provide it and Finjan will consider it.

Sincerely,
Kris

Kris Kastens
Associate

Kramer Levin Naftalis & Frankel LLP
990 Marsh Road, Menlo Park, California 94025
T 650.752.1715 F 650.752.1815

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From: Glucoft, Josh [<mailto:JGlucoft@irell.com>]
Sent: Friday, May 25, 2018 5:21 PM
To: Kastens, Kris
Cc: Andre, Paul; Hannah, James; Kastens, Kris; Kobialka, Lisa; Lee, Michael H.; Manes, Austin; Nguyen, Stephanie; #Juniper/Finjan [Int]
Subject: [EXTERNAL] RE: Finjan v. Juniper - Amending Complaint

Kris,

As you aware, the parties will exchange claim constructions on Tuesday and will soon be well into briefing claim constructions. How exactly does Finjan propose to handle the construction of terms in the '731 Patent? There does not appear to be a tractable solution to the problem.

This issue and many other logistical burdens make Finjan's belated attempt to amend the complaint highly prejudicial to Juniper. Please call me at 9:30 am Pacific this Tuesday to discuss.

Thanks,
Josh

From: Kastens, Kris [<mailto:KKastens@KRAMERLEVIN.com>]

Sent: Friday, May 25, 2018 1:41 PM

To: Glucoft, Josh

Cc: Curran, Casey; Carson, Rebecca; Wang, Kevin; Holland, Eileen; ~Andre, Paul; ~Kobialka, Lisa; ~Hannah, James; ~Lee, Michael

Subject: Finjan v. Juniper - Amending Complaint

Josh,

Finjan intends to seek leave to amend its complaint to assert Claims 1 and 17 of U.S. Patent No. 7,418,731 (the "'731 Patent") against the already accused combination of SRX Gateways and Sky ATP. Juniper's infringement of these claims of the '731 Patent recently became apparent during the May 8th deposition of Yuly Tenorio, who described the internal structures of Sky ATP, including the manner in which profiles and files are stored and indexed. As part of this amendment, Finjan agrees to limit the number of asserted claims in the case to no more than 16. Let us know if Juniper will stipulate to this amendment. If not, provide times that you are available on Tuesday, May 29th that you are available to meet and confer on this issue.

Sincerely,
Kris

Kris Kastens
Associate

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[Bio](#)

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