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15 *Attorneys for Plaintiff*  
16 FINJAN, INC.

11 **IN THE UNITED STATES DISTRICT COURT**  
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
13 **SAN FRANCISCO DIVISION**

14 FINJAN, INC., a Delaware Corporation,

15 Plaintiff,

16 v.

17 JUNIPER NETWORKS, INC., a Delaware  
18 Corporation,

19 Defendant.

Case No.: 3:17-cv-05659-WHA

**DECLARATION OF KRISTOPHER  
KASTENS IN SUPPORT OF PLAINTIFF  
FINJAN, INC.'S OPPOSITION TO  
DEFENDANT JUNIPER NETWORKS,  
INC.'S MOTION TO EXCLUDE THE  
TESTIMONY OF MR. KEVIN M. ARST**

Date: November 29, 2018  
Time: 8:00 a.m.  
Courtroom: Courtroom 12, 19th Floor  
Before: Hon. William Alsup

1 I, Kristopher Kastens, declare:

2 1. I am licensed to practice law in the State of California and am an attorney at Kramer  
3 Levin Naftalis & Frankel LLP, counsel of record for Finjan, Inc. ("Finjan"). I have personal  
4 knowledge of the facts stated herein. I make this declaration in support of Plaintiff Finjan, Inc.'s  
5 Opposition to Defendant Juniper Networks, Inc.'s ("Juniper") Motion to Exclude the Testimony of Mr.  
6 Kevin M. Arst.

7 2. Attached hereto as Exhibit 1 is a true and correct copy of Expert Report of Dr. Eric  
8 Cole, served on September 11, 2018.

9 3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from Juniper's  
10 Response to Finjan's Third Set of Requests for Production (Nos. 87-97), served on August 10, 2018.

11 4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from Juniper's  
12 Second Supplemental Response to Finjan's Second Set of Interrogatories, served on September 7,  
13 2018.

14 5. Attached hereto as Exhibit 4 is a true and correct copy of pages 52 and 81-82 from the  
15 transcript of the deposition of Philip Hartstein, taken on October 23, 2018.

16 6. Attached hereto as Exhibit 5 is a true and correct copy of pages 30-31 and 92-93 from  
17 the transcript of the deposition of John Garland, taken on November 2, 2018.

18 7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from Juniper's  
19 Response to Finjan's Fourth Set of Interrogatories, served on May 29, 2018.

20 8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from Finjan's  
21 Disclosure of Damages Contentions Pursuant to Patent Local Rule 3-8, served on June 12, 2018.

22 9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from Juniper's  
23 Second Supplement to Initial Disclosures, served on November 5, 2018.

24 10. Attached hereto as Exhibit 9 is a true and correct copy of pages 76-83, 85-93, 99-101,  
25 104, 106-107, 121, 125, 145-151, 158-159, and 173 from the transcript of the deposition of Dr. Eric  
26 Cole, taken on November 14, 2018.

1           11.     Attached hereto as Exhibit 10 is a true and correct copy of page 226 from the transcript  
2 of the deposition of Yuly Tenorio, taken on May 9, 2018.

3           12.     Attached hereto as Exhibit 11 is a true and correct copy of excerpts of the Opinion from  
4 *ResQNet.com, Inc. v. Lansa, Inc.*, No. 01 Civ. 3578 (RWS), Docket No. 335 (S.D.N.Y. Dec. 6, 2011).

5           I declare under penalty of perjury under the laws of the United States of America that each  
6 of the above statements is true and correct. Executed on November 19, 2018, in Menlo Park, CA.

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8                                 /s/ Kristopher Kastens  
9                                 Kristopher Kastens  
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