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11 *Attorneys for Plaintiff*
12 FINJAN, INC.

13 **IN THE UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 FINJAN, INC., a Delaware Corporation,

17 Plaintiff,

18 v.

19 JUNIPER NETWORKS, INC., a Delaware
20 Corporation,

21 Defendant.

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

**DECLARATION OF KRISTOPHER
KASTENS IN SUPPORT OF PLAINTIFF
FINJAN, INC.’S REPLY BRIEF TO ITS
MOTION TO EXCLUDE OPINIONS OF
DAMAGES EXPERT DR. KEITH UGONE**

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 Reply
5 Brief to Finjan’s Motion to Exclude Opinions of Damages Expert Dr. Keith Ugone.

6 2. Attached hereto as Exhibit 1 is a true and correct copy of pages 55-56, 71, 74-75, 81-82,
7 122, 125-128, 146, 148-150, 153-162, 166-168, 170-173, 182-184, 226-227 from the transcript of the
8 deposition of Keith R. Ugone, taken November 13, 2018, in the present action.

9 3. Attached hereto as Exhibit 2 is a true and correct copy of page 12 from the Form 10-K
10 Security and Exchange Commission filing of Juniper Networks, Inc. (“Juniper”) for the year ended
11 December 31, 2017.

12 4. Attached hereto as Exhibit 3 is a true and correct copy of pages 4-5 of the Confidential
13 Patent License, Settlement and Release Agreement between Finjan, Inc. and third party dated
14 December 29, 2015, produced bearing bates numbers FINJAN-JN 039877-90.

15 5. Attached hereto as Exhibit 4 is a true and correct copy of pages 11-12 from the
16 transcript of the deposition of Raju Manthana, taken on May 30, 2018, in the present action.

17 6. Juniper never informed Finjan that its production of source code for the accused
18 products was specific to only certain models of SRX products.

19 7. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from Juniper’s
20 “Threat Intelligence Open API Setup Guide,” available at
21 [https://www.juniper.net/documentation/en_US/release-independent/sky-atp/information-
products/topic-collections/sky-atp-api-overview.pdf](https://www.juniper.net/documentation/en_US/release-independent/sky-atp/information-
22 products/topic-collections/sky-atp-api-overview.pdf).

23 I declare under penalty of perjury under the laws of the United States of America that each
24 of the above statements is true and correct. Executed on November 23, 2018, in Anaheim, CA.

25
26 /s/ Kristopher Kastens
27 Kristopher Kastens
28