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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 MOTIONS *IN LIMINE*  
NOS. 1-4**

Date: December 4, 2018  
Time: 9:00 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 Motions *in Limine* Nos. 1-4.

6 2. Attached hereto as Exhibit 1 is a true and correct copy of Juniper Networks, Inc.’s  
7 (“Juniper”) First Supplement to Initial Disclosures, served on September 10, 2018.

8 3. Attached hereto as Exhibit 2 is a true and correct copy of Juniper’s Second Supplement  
9 to Initial Disclosures, served on November 5, 2018.

10 4. Attached hereto as Exhibit 3 is a true and correct copy of the Expert Damages-Related  
11 Rebuttal Report of Aviel D. Rubin, served on November 7, 2018.

12 5. Attached hereto as Exhibit 4 is a true and correct copy of Dr. Rubin’s demonstratives  
13 from his Expert Damages-Related Rebuttal Report, served on November 7, 2018.

14 6. Attached hereto as Exhibit 5 is a true and correct copy of the Expert Report of Aviel D.  
15 Rubin, served on September 11, 2018. Due to the volume of exhibits to Dr. Rubin’s September 11<sup>th</sup>  
16 report, they are not attached here, but can be provided upon request.

17 7. Attached hereto as Exhibit 6 is a true and correct copy of the Expert Rebuttal Report of  
18 Aviel D. Rubin, served on October 11, 2018.

19 8. Attached hereto as Exhibit 7 is a true and correct copy of Finjan’s Second Set of  
20 Interrogatories to Juniper (Nos. 4-9), served on March 29, 2018.

21 9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from Finjan’s First  
22 Set of Requests for Production of Documents to Juniper (Nos. 1-60), served on February 23, 2018.

23 10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from Finjan’s Third  
24 Set of Requests for Production of Documents to Juniper (Nos. 87-97), served on July 11, 2018.

25 11. Attached hereto as Exhibit 10 is a true and correct copy of Finjan’s Fourth Set of  
26 Interrogatories to Juniper (Nos. 11-12), served on April 27, 2018.

1 12. Attached hereto as Exhibit 11 is a true and correct copy of excerpts from Finjan's  
2 Disclosure of Damages Contentions Pursuant to Patent Local Rule 3-8, served on June 12, 2018.

3 13. Attached hereto as Exhibit 12 is a true and correct copy of page 4 from the transcript of  
4 the proceedings on February 22, 2018, in the above-captioned matter.

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

8 15. Attached hereto as Exhibit 14 is a true and correct copy of excerpts from Juniper's  
9 Patent L.R. 3-9 Responsive Damages Contentions, served on July 12, 2018.

10 16. Attached hereto as Exhibit 15 is a true and correct copy of excerpts from Juniper's  
11 Responses and Objections to Finjan's First Set of Requests for Admission (Nos. 1-75), served on May  
12 30, 2018.

13 17. Attached hereto as Exhibit 16 is a true and correct copy of the Order *in Limine*  
14 Excluding Reference to '229 Patent from *Therasense, Inc. v. Nova Biomedical Corp.*, No. C 04-02123  
15 WHA, Docket No. 182 (N.D. Cal. July 21, 2018).

16 18. Attached hereto as Exhibit 17 is a true and correct copy of pages 104-105 from the  
17 rough transcript of the deposition of Dr. Keith Ugone, taken on November 13, 2018.

18  
19 I declare under penalty of perjury under the laws of the United States of America that each  
20 of the above statements is true and correct. Executed on November 14, 2018, in Menlo Park, CA.

21 /s/ Kristopher Kastens  
22 Kristopher Kastens  
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