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 14 JUNIPER NETWORKS, INC.

15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17 SAN FRANCISCO DIVISION

18	FINJAN, INC., a Delaware Corporation,	)	Case No. 3:17-cv-05659-WHA
19	Plaintiff,	)	<b>DECLARATION OF CASEY M. CURRAN IN SUPPORT OF DEFENDANT JUNIPER NETWORKS, INC.'S OPPOSITION TO FINJAN, INC.'S MOTION FOR JUDGEMENT AS A MATTER OF LAW AND MOTION FOR NEW TRIAL</b>
20	vs.	)	
21	JUNIPER NETWORKS, INC., a Delaware	)	
22	Corporation,	)	
23	Defendant.	)	Hon. William Alsup

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**DECLARATION OF CASEY M. CURRAN**

I, Casey M. Curran, declare as follows:

1. I am an associate at the law firm of Irell & Manella LLP and counsel of record for Defendant Juniper Networks, Inc. (“Juniper”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice before this Court. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath. I submit this declaration in support of Juniper’s Opposition to Finjan, Inc.’s (“Finjan’s”) Motion for Judgment as a Matter of Law and Motion for New Trial.

2. In response to Finjan’s Requests for Production No. 20 and in accordance with N.D. Cal. Patent Local Rule 3-4(e), on April 23, 2018, Juniper produced financial spreadsheets which included Juniper’s revenues for all SRX devices and Sky ATP licenses sold during the damages period. At that time Juniper was not aware of any need, and Finjan did not request, that Juniper isolate revenues from SRX devices which were enabled to use Sky ATP.

3. On August 24, 2018 the Court granted-in-part Finjan’s Motion for Summary Judgment on Claim 10 of the ’494 Patent. At that time the Court held that the amount of damages arising out of any infringement of Claim 10 of the ’494 Patent would be decided at trial. Consequently, Juniper sought to generate spreadsheets by which the parties could isolate the revenues for just those SRX units that were used in combination with Sky ATP during the damages period. While the parties could have calculated these revenues using the April 2018 spreadsheet by calculating the number of Sky ATP licenses and utilizing the average revenues from sales of compatible SRX devices to arrive at an estimate of the pertinent SRX revenues, Juniper sought to reduce the need to estimate revenues by providing more precise information.

4. On August 31, 2018 the Court issued its Third Amended Case Management Order which scheduled trial to commence on December 10, 2018. The Court’s August 31 Order triggered a September 11, 2018 deadline for opening expert reports under the Federal Rules. Given this new deadline, Juniper expedited its efforts to supplement its damages production. During the week of September 2, 2018 Juniper worked to create two spreadsheets: (1) one identifying SRX devices for

1 which the free version of Sky ATP was enabled during the damages period, and (2) a version of the  
2 financial data produced on April 23, 2018 that added information about the end customer data so  
3 that paid Sky ATP licenses could be linked to SRX purchases. Juniper produced both spreadsheets  
4 on September 7, 2018.

5         5.         When Juniper added end customer data to the April 2018 spreadsheet, the number of  
6 rows increased as a result of the added granularity. Specifically, the granularity of the April 2018  
7 spreadsheet breaks the data down by one row per achievement quarter/year, part number, ship to  
8 country, and end customer country. This means that if two different customers in the same country  
9 ordered the same part number in the same quarter, the April 2018 spreadsheet would have only one  
10 row (combined for the two customers). When Juniper added end customer data, the granularity  
11 changed to be one row per achievement quarter/year, part number, and end customer name. This  
12 means that if two different customers ordered the same part number in the same quarter and the  
13 same country, the September 2018 spreadsheet would have two rows (one for each customer name).  
14 The total summation of each category of financial information remains the same between the April  
15 2018 and September 2018 spreadsheets. For example, the sum of the column “Achievement Net”  
16 contained within both spreadsheets is \$610,844,337.2.

17         6.         With the exception of the addition of “End Customer Parent” to the September  
18 spreadsheet the columns in the April and September spreadsheets reflect the same categories of data.  
19 The September spreadsheet contains two additional columns (“Derived Achievement Quantity” and  
20 “Derived Extended List Price”) which contain information duplicative of columns which exist in  
21 both the April and September spreadsheets. Specifically, the column “Derived Achievement  
22 Quantity” reflects the same data as “Achievement Quantity”; similarly, the column “Derived  
23 Extended List Price” reflects the same data as “Extended List Price.”

24         7.         Attached hereto as **Exhibit 1** is a true and correct copy of Appendix F-1 to Finjan’s  
25 Initial Disclosure of Asserted Claims and Infringement Contentions Pursuant to Patent Local Rules  
26 3-1 and 3-2, dated March 8, 2018.

27         8.         Attached hereto as **Exhibit 2** is a true and correct copy of Finjan’s First Set of  
28 Requests for Production, dated February 23, 2018.

