

IRELL & MANELLA LLP

A REGISTERED LIMITED LIABILITY LAW PARTNERSHIP
INCLUDING PROFESSIONAL CORPORATIONS

1800 AVENUE OF THE STARS, SUITE 900
LOS ANGELES, CA 90067-4276
TELEPHONE (310) 277-1010
FACSIMILE (310) 203-7199

840 NEWPORT CENTER DRIVE, SUITE 400
NEWPORT BEACH, CALIFORNIA 92660-6324

TELEPHONE (949) 760-0991
FACSIMILE (949) 760-5200
WEBSITE: www.irell.com

WRITER'S DIRECT
TELEPHONE (949) 760-5222
RCarson@irell.com

February 28, 2019

Hon. William Alsup
U.S. District Court, Northern District of California

Re: *Finjan, Inc. v. Juniper Networks, Inc.*, Case No. 3:17-cv-05659-WHA

Dear Judge Alsup:

The parties respectfully request more time to meet and confer regarding the case management approaches proposed by the Court at the hearing last week.

During the hearing on February 21, 2018, the Court suggested that it would certify the orders from the first phase of the "Patent Showdown" proceedings for appeal if the parties agreed that the outcome of the appeal would dispose of the entire case, including the other asserted patents. *See* Dkt. No. 378 (Transcript of proceedings held on 2/21/2019) at 28:11-23. The Court further indicated that it would provide the parties with one week to see if they could agree on the details of such a procedure. *Id.* at 31:1-4, 32:20-24. While both parties remain open to this strategy, the parties have not yet reached agreement on the issue. Accordingly, the parties respectfully request that the Court continue to defer its ruling on the issue of certification for interlocutory appeal for an additional week in order to provide the parties with more time to try to reach an agreement.

Respectfully submitted,

/s/ Rebecca L. Carson
Rebecca L. Carson
IRELL & MANELLA LLP
Attorneys for Defendant
Juniper Networks, Inc.

/s/ Paul Andre
Paul Andre
KRAMER LEVIN NAFTALIS & FRANKEL LLP
Attorneys for Plaintiff
Finjan, Inc.