

1 PAUL J. ANDRE (State Bar No. 196585)
pandre@kramerlevin.com
2 LISA KOBIALKA (State Bar No. 191404)
lkobialka@kramerlevin.com
3 JAMES HANNAH (State Bar No. 237978)
jhannah@kramerlevin.com
4 KRISTOPHER KASTENS (State Bar No. 254797)
kkastens@kramerlevin.com
5 KRAMER LEVIN NAFTALIS & FRANKEL LLP
6 990 Marsh Road
7 Menlo Park, CA 94025
8 Telephone: (650) 752-1700
9 Facsimile: (650) 752-1800
10 *Attorneys for Plaintiff*
11 FINJAN, INC.

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

15 FINJAN, INC., a Delaware Corporation,

16 Plaintiff,

17 v.

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

20 Defendant.

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

**[PROPOSED] ORDER GRANTING
PLAINTIFF FINJAN, INC.'S
ADMINISTRATIVE MOTION TO FILE
DOCUMENTS UNDER SEAL**

1 Finjan, Inc.'s ("Finjan") Administrative Motion to File Documents under Seal was brought
 2 before this Court. Upon consideration of this administrative motion and the supporting Declaration of
 3 Austin Manes ("Manes Decl."), the Court finds there to be compelling reasons for granting the motion.

4 Compelling reasons having been shown, the Court finds that:

5 1. There exist overriding confidentiality interests that overcome the right of public access to
 6 certain portions of following documents identified below:

Documents sought to be sealed	Portions sought to be sealed	Designating party	Reasons for sealing
Plaintiff Finjan Inc.'s Opposition to Juniper's Motion for Summary Judgment ("Opposition")	Highlighted portions at p. 1, lines 10-11; p. 4, lines 7-8; p. 11, lines 6-26; p. 13, lines 3-6, 20, 22-26; p. 15, lines 10-17, 25-26; p. 16, lines 25-27; p. 17, lines 1, 5-6; p. 19, lines 7-28; p. 32, lines 12-24; p. 33, line 1; p. 36, lines 10-12	Juniper and/or Finjan	The highlighted portions contain (1) Juniper's confidential information; (2) the parties' licensing/settlement negotiations that are within the ambit of Rule 408 of the Federal Rules of Evidence; (3) confidential terms in license/settlement agreements between Finjan and Finjan's licensees. <i>See</i> Manes Decl. at ¶ 3; <i>see also</i> below.
Declaration of Dr. Michael Mitzenmacher in Support of Finjan's Opposition ("Mitz Decl.")	Highlighted portions at p. 14, lines 7-17; p. 15, lines 7-9, 17-18, 28; p. 16, lines 1-19; p. 17, line 18 to p. 18, line 6; p. 18, line 13 to p. 19, line 26; and p. 20, lines 9-22	Juniper	The highlighted portions contain Juniper's confidential information. <i>See</i> Manes Decl. at ¶ 4; <i>see also</i> below.
Exs. 1, 14-18, 26, 28 to Kastens Decl.	Entirety	Juniper	Identified exhibits contain Juniper's confidential information. <i>See</i> Manes Decl. at ¶ 5; <i>see also</i> below.

<p>1 Exs. 21, 23-24 to 2 Kastens Decl.</p>	<p>Entirety</p>	<p>Finjan</p>	<p>Identified exhibits contain (1) the parties' licensing/settlement negotiations that are within the ambit of Rule 408 of the Federal Rules of Evidence; (2) confidential terms in license/settlement agreements between Finjan and Finjan's licensees. <i>See</i> Manes Decl. at ¶ 6; <i>see also</i> below.</p>
<p>8 Exs. 2, 4-11 to Kastens 9 Decl.</p>	<p>Entirety</p>	<p>Juniper and/or Finjan</p>	<p>Identified exhibits contain Juniper's and Finjan's confidential information. <i>See</i> Manes Decl. at ¶ 7; <i>see also</i> below.</p>

11 2. A substantial probability exists that the overriding confidentiality interests will be
12 prejudiced if the record identified above is not sealed;

13 3. No less restrictive means exist to achieve these overriding interests.

14
15 IT IS THEREFORE ORDERED that Finjan's Administrative Motion to File Documents under
16 Seal is GRANTED with respect to the portions of the documents set forth above.

17 IT IS SO ORDERED.

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20 _____
21 Honorable William Alsup
22 United States District Court Judge
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