

# EXHIBIT 1

---

**From:** Glucoft, Josh  
**Sent:** Tuesday, March 19, 2019 5:03 PM  
**To:** ~Kastens, Kristopher  
**Cc:** ~Andre, Paul; ~Caire, Yuridia; ~Hannah, James; ~Hedvat, Shannon; ~Kobialka, Lisa; ~Lee, Hannah; ~Lee, Michael; ~Manes, Austin; ~Martinez, Cristina; ~Nguyen, Stephanie; ~Xu, Linjun; Carson, Rebecca; Heinrich, Alan; Holland, Eileen; Isaac, Shawana; Kagan, Jonathan; Manzano, Jim; Petersen, Ingrid; Quarnstrom, Brian; Theilacker, Leah; Wang, Kevin; #Juniper/Finjan [Int]  
**Subject:** RE: [EXTERNAL] RE: Meet and confer / Mitzenmacher Deposition

Kris,

We are checking on dates for the deposition of Frank Jas.

In the meantime, please provide dates for the deposition of Mr. Touboul, as Finjan relies on his testimony in its opposition.

Thanks,  
Josh

---

**From:** Kastens, Kris <KKastens@KRAMERLEVIN.com>  
**Sent:** Friday, March 15, 2019 4:58 PM  
**To:** Glucoft, Josh <JGlucoft@irell.com>  
**Cc:** ~Andre, Paul <pandre@kramerlevin.com>; ~Caire, Yuridia <ycaire@kramerlevin.com>; ~Hannah, James <jhannah@kramerlevin.com>; ~Hedvat, Shannon <shedvat@kramerlevin.com>; ~Kobialka, Lisa <lkobialka@kramerlevin.com>; ~Lee, Hannah <hlee@kramerlevin.com>; ~Lee, Michael <mhlee@kramerlevin.com>; ~Manes, Austin <amanes@kramerlevin.com>; ~Martinez, Cristina <cmartinez@kramerlevin.com>; ~Nguyen, Stephanie <SNguyen@KRAMERLEVIN.com>; ~Xu, Linjun <lxu@kramerlevin.com>; Carson, Rebecca <RCarson@irell.com>; Heinrich, Alan <AHeinrich@irell.com>; Holland, Eileen <EHolland@irell.com>; Isaac, Shawana <SIsaac@irell.com>; Kagan, Jonathan <JKagan@irell.com>; Manzano, Jim <JManzano@irell.com>; Petersen, Ingrid <ipetersen@irell.com>; Quarnstrom, Brian <BQuarnstrom@irell.com>; Theilacker, Leah <LTheilacker@irell.com>; Wang, Kevin <kwang@irell.com>  
**Subject:** Re: [EXTERNAL] RE: Meet and confer / Mitzenmacher Deposition

Josh,  
We will look for dates if you confirm in writing that no one is available to host the source code review at your office, which we find hard to believe. As we've said, Dr. Mitzenmacher has very little time during this period and you, for some reason, haven't been willing to confirm there is a basis for your refusal to make the code available as requested. He may be required to cancel classes to review now. We've also provided you with three potential dates for his deposition and you have yet to confirm any of them. As I said earlier, the deposition will take place on the 28th. If you confirm that none of the attorneys on your team are available on this date, we will look into alternatives.

Also, provide dates for every non-lawyer that submitted a declaration in support of your opposition to the 154.  
- Kris

Kris Kastens  
Partner

Kramer Levin Naftalis & Frankel LLP  
990 Marsh Road, Menlo Park, California 94025  
T 650.752.1715 F 650.752.1815

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.

On Mar 15, 2019, at 4:18 PM, Glucoft, Josh <[JGlucoft@irell.com](mailto:JGlucoft@irell.com)> wrote:

Kris,

It appears unlikely that March 20 will work for us to host the source code review, so please provide other dates. Because the Court vacated the fact discovery cutoff date, we should have no trouble finding mutually agreeable dates, even accommodating travel schedules.

We will get back to you shortly on dates for Dr. Mitzenmacher. Are there any other possible dates for him before April 4?

Thanks,  
Josh

---

**From:** Kastens, Kris <[KKastens@KRAMERLEVIN.com](mailto:KKastens@KRAMERLEVIN.com)>  
**Sent:** Friday, March 15, 2019 12:24 PM  
**To:** Glucoft, Josh <[JGlucoft@irell.com](mailto:JGlucoft@irell.com)>  
**Cc:** ~Andre, Paul <[pandre@kramerlevin.com](mailto:pandre@kramerlevin.com)>; ~Caire, Yuridia <[ycaire@kramerlevin.com](mailto:ycaire@kramerlevin.com)>; ~Hannah, James <[hannah@kramerlevin.com](mailto:hannah@kramerlevin.com)>; ~Hedvat, Shannon <[shedvat@kramerlevin.com](mailto:shedvat@kramerlevin.com)>; ~Kobialka, Lisa <[lkobialka@kramerlevin.com](mailto:lkobialka@kramerlevin.com)>; ~Lee, Hannah <[hlee@kramerlevin.com](mailto:hlee@kramerlevin.com)>; ~Lee, Michael <[mhlee@kramerlevin.com](mailto:mhlee@kramerlevin.com)>; ~Manes, Austin <[amanes@kramerlevin.com](mailto:amanes@kramerlevin.com)>; ~Martinez, Cristina <[cmartinez@kramerlevin.com](mailto:cmartinez@kramerlevin.com)>; ~Nguyen, Stephanie <[SNguyen@KRAMERLEVIN.com](mailto:SNguyen@KRAMERLEVIN.com)>; ~Xu, Linjun <[lxu@kramerlevin.com](mailto:lxu@kramerlevin.com)>; Carson, Rebecca <[RCarson@irell.com](mailto:RCarson@irell.com)>; Heinrich, Alan <[AHeinrich@irell.com](mailto:AHeinrich@irell.com)>; Holland, Eileen <[EHolland@irell.com](mailto:EHolland@irell.com)>; Isaac, Shawana <[SIsaac@irell.com](mailto:SIsaac@irell.com)>; Kagan, Jonathan <[JKagan@irell.com](mailto:JKagan@irell.com)>; Manzano, Jim <[JManzano@irell.com](mailto:JManzano@irell.com)>; Petersen, Ingrid <[ipetersen@irell.com](mailto:ipetersen@irell.com)>; Quarnstrom, Brian <[BQuarnstrom@irell.com](mailto:BQuarnstrom@irell.com)>; Theilacker, Leah <[LTheilacker@irell.com](mailto:LTheilacker@irell.com)>; Wang, Kevin <[kwang@irell.com](mailto:kwang@irell.com)>  
**Subject:** Re: [EXTERNAL] RE: Meet and confer / Mitzenmacher Deposition

Josh,

We need an answer on Dr Mitzenmacher's deposition today because he needs to cancel other arrangements. If we don't hear back from you by 5pm, then only the 28th will be kept open. Also, we will be at your office on the 20th for the source code review.

Kris

Sent from my iPhone

Kris Kastens  
Partner

Kramer Levin Naftalis & Frankel LLP  
990 Marsh Road, Menlo Park, California 94025  
T 650.752.1715 F 650.752.1815

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.

On Mar 14, 2019, at 7:01 PM, Glucoft, Josh <[JGlucoft@irell.com](mailto:JGlucoft@irell.com)> wrote:

Kris,

This is a simple scheduling issue and we are trying to work with you, so please give us alternate dates for Dr. Mitzenmacher's deposition and your proposed source code review.

Thanks,

Josh

---

**From:** Kastens, Kris <[KKastens@KRAMERLEVIN.com](mailto:KKastens@KRAMERLEVIN.com)>  
**Sent:** Thursday, March 14, 2019 2:29 PM  
**To:** Glucoft, Josh <[JGlucoft@irell.com](mailto:JGlucoft@irell.com)>  
**Cc:** ~Andre, Paul <[pandre@kramerlevin.com](mailto:pandre@kramerlevin.com)>; ~Caire, Yuridia <[ycaire@kramerlevin.com](mailto:ycaire@kramerlevin.com)>; ~Hannah, James <[jhannah@kramerlevin.com](mailto:jhannah@kramerlevin.com)>; ~Hedvat, Shannon <[shedvat@kramerlevin.com](mailto:shedvat@kramerlevin.com)>; ~Kobialka, Lisa <[lkobialka@kramerlevin.com](mailto:lkobialka@kramerlevin.com)>; ~Lee, Hannah <[hlee@kramerlevin.com](mailto:hlee@kramerlevin.com)>; ~Lee, Michael <[mhlee@kramerlevin.com](mailto:mhlee@kramerlevin.com)>; ~Manes, Austin <[amanes@kramerlevin.com](mailto:amanes@kramerlevin.com)>; ~Martinez, Cristina <[cmartinez@kramerlevin.com](mailto:cmartinez@kramerlevin.com)>; ~Nguyen, Stephanie <[SNguyen@KRAMERLEVIN.com](mailto:SNguyen@KRAMERLEVIN.com)>; ~Xu, Linjun <[lxu@kramerlevin.com](mailto:lxu@kramerlevin.com)>; Carson, Rebecca <[RCarson@irell.com](mailto:RCarson@irell.com)>; Heinrich, Alan <[AHeinrich@irell.com](mailto:AHeinrich@irell.com)>; Holland, Eileen <[EHolland@irell.com](mailto:EHolland@irell.com)>; Isaac, Shawana <[Sisaac@irell.com](mailto:Sisaac@irell.com)>; Kagan, Jonathan <[JKagan@irell.com](mailto:JKagan@irell.com)>; Manzano, Jim <[JManzano@irell.com](mailto:JManzano@irell.com)>; Petersen, Ingrid <[ipetersen@irell.com](mailto:ipetersen@irell.com)>; Quarnstrom, Brian <[BQuarnstrom@irell.com](mailto:BQuarnstrom@irell.com)>; Theilacker, Leah <[LTheilacker@irell.com](mailto:LTheilacker@irell.com)>; Wang, Kevin <[kwang@irell.com](mailto:kwang@irell.com)>  
**Subject:** RE: Meet and confer / Mitzenmacher Deposition

Josh,

Dr. Mitzenmacher is only available in Southern California on the 20<sup>th</sup>, and not even for the entire day. If you are refusing to make the source code available on the 20<sup>th</sup>, we need to know by the end of the day. Please also confirm, in writing, that there is not a single person available to staff the review, if that is your basis. We can then meet and confer tomorrow to seek a resolution.

We will inquire about alternatives to the March 29<sup>th</sup> deposition date.

Sincerely,  
Kris

Kris Kastens  
Partner

Kramer Levin Naftalis & Frankel LLP  
990 Marsh Road, Menlo Park, California 94025  
T 650.752.1715 F 650.752.1815

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.

---

**From:** Glucoft, Josh <[JGlucoft@irell.com](mailto:JGlucoft@irell.com)>  
**Sent:** Thursday, March 14, 2019 2:17 PM  
**To:** Kastens, Kris <[KKastens@KRAMERLEVIN.com](mailto:KKastens@KRAMERLEVIN.com)>  
**Cc:** Andre, Paul <[PAndre@KRAMERLEVIN.com](mailto:PAndre@KRAMERLEVIN.com)>; Caire, Yuridia <[YCaire@KRAMERLEVIN.com](mailto:YCaire@KRAMERLEVIN.com)>; Hannah, James <[JHannah@KRAMERLEVIN.com](mailto:JHannah@KRAMERLEVIN.com)>; Hedvat, Shannon H. <[SHedvat@KRAMERLEVIN.com](mailto:SHedvat@KRAMERLEVIN.com)>; Kobialka, Lisa <[LKobialka@KRAMERLEVIN.com](mailto:LKobialka@KRAMERLEVIN.com)>; Lee, Hannah <[HLee@KRAMERLEVIN.com](mailto:HLee@KRAMERLEVIN.com)>; Lee, Michael H. <[MHLee@KRAMERLEVIN.com](mailto:MHLee@KRAMERLEVIN.com)>; Manes, Austin <[AManes@KRAMERLEVIN.com](mailto:AManes@KRAMERLEVIN.com)>; Martinez, Cristina <[CMartinez@KRAMERLEVIN.com](mailto:CMartinez@KRAMERLEVIN.com)>; Nguyen, Stephanie <[SNguyen@KRAMERLEVIN.com](mailto:SNguyen@KRAMERLEVIN.com)>; Xu, Linda <[LYu@KRAMERLEVIN.com](mailto:LYu@KRAMERLEVIN.com)>; Carson, Rebecca <[RCarson@irell.com](mailto:RCarson@irell.com)>; Heinrich, Alan <[AHeinrich@irell.com](mailto:AHeinrich@irell.com)>; Holland, Eileen <[EHolland@irell.com](mailto:EHolland@irell.com)>; Isaac, Shawana <[SIsaac@irell.com](mailto:SIsaac@irell.com)>; Kagan, Jonathan <[JKagan@irell.com](mailto:JKagan@irell.com)>; Manzano, Jim <[JManzano@irell.com](mailto:JManzano@irell.com)>; Petersen, Ingrid <[ipetersen@irell.com](mailto:ipetersen@irell.com)>; Quarnstrom, Brian <[BQuarnstrom@irell.com](mailto:BQuarnstrom@irell.com)>; Theilacker, Leah <[LTheilacker@irell.com](mailto:LTheilacker@irell.com)>; Wang, Kevin <[kwang@irell.com](mailto:kwang@irell.com)>; #Juniper/Finjan [Int] <[Juniper-Finjan@irell.com](mailto:Juniper-Finjan@irell.com)>  
**Subject:** [EXTERNAL] RE: Meet and confer / Mitzenmacher Deposition

Kris,

We are still trying to determine if it is possible for us to host the source code review, including coordinating staffing logistics, on March 20. You might want to provide alternate dates for the code review in case we are not able to host it on March 20.

We are also trying to work out whether we can accommodate a deposition in Boston on March 29, but we would appreciate it if you could provide alternative dates in case one is needed. How long does Dr. Mitzenmacher plan to be in southern California around March 20?

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.