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11
12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 FINJAN, INC., a Delaware Corporation,
16
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 OPPOSITION TO
DEFENDANT JUNIPER NETWORKS,
INC.’S MOTION TO STRIKE THEORIES
FROM FINJAN’S MOTION FOR
SUMMARY JUDGMENT, AND MOTION
TO AMEND**

Date: May 2, 2019
Time: 8:00 a.m.
Courtroom: Courtroom 12, 19th Floor
Before: Hon. William Alsup

REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

1 I, Kristopher Kastens, declare:

2 1. I am an attorney with the law firm Kramer Levin Naftalis & Frankel LLP, counsel of
3 record for Finjan, Inc. ("Finjan"). I have personal knowledge of the facts stated herein and can testify
4 competently to those facts. I make this declaration in support of Plaintiff Finjan, Inc.'s Opposition to
5 Defendant Juniper Networks, Inc.'s Motion to Strike Theories from Finjan's Motion for Summary
6 Judgment, and Motion to Amend.

7 2. Attached hereto as Exhibit A is a true and correct copy of an email exchange between
8 Finjan's counsel and Juniper's counsel, dated February 12, 2019, regarding Juniper's failure to make
9 source code for Juniper's ATP Appliance available earlier in the case, including tools for accessing the
10 code.

11 3. Attached hereto as Exhibit B is a true and correct copy of an email exchange between
12 Finjan's counsel and Juniper's counsel, dated March 3, 2019, to March 6, 2019, regarding Juniper's
13 untimely production of information relating to [REDACTED] which was requested more than one year
14 prior to its production.

15 4. Attached hereto as Exhibit C is a true and correct copy of excerpts from Plaintiff Finjan,
16 Inc.'s First Set of Requests for Production of Documents to Defendant Juniper Networks, Inc. (Nos. 1-
17 60), including Request No. 38, served on February 23, 2018.

18 5. Attached hereto as Exhibit D is a true and correct copy of Plaintiff Finjan, Inc.'s Third
19 Set of Requests for Production of Documents to Defendant Juniper Networks, Inc. (Nos. 87-97),
20 served on July 11, 2018.

21
22 I declare under penalty of perjury under the laws of the United States that the foregoing is true
23 and correct. Executed on March 28, 2019 in Menlo Park, California.

24
25 /s/ Kristopher Kastens
26 Kristopher Kastens