

EXHIBIT D

Petersen, Ingrid

From: ~Kastens, Kristopher
Sent: Tuesday, January 8, 2019 3:11 PM
To: Glucoft, Josh; ~Andre, Paul; ~Caire, Yuridia; ~Hannah, James; ~Hedvat, Shannon; ~Kobialka, Lisa; ~Lee, Hannah; ~Lee, Michael; ~Manes, Austin; ~Martinez, Cristina; ~Nguyen, Stephanie; ~Xu, Linjun
Cc: Carson, Rebecca; Curran, Casey; Heinrich, Alan; Holland, Eileen; Isaac, Shawana; Kagan, Jonathan; Manzano, Jim; Petersen, Ingrid; Quarnstrom, Brian; Song, Sharon; Theilacker, Leah; Wang, Kevin
Subject: RE: Finjan v. Juniper

Josh,

Claims 14 and 18 depend from Claim 10 of the '494 Patent, and as such, the jury determination on infringement on Claim 10 is applicable to these claims as well. However, Claim 9 of the '780 Patent is an independent claim, therefore the Court's finding of no infringement for Claim 1 of the '780 Patent on summary judgment does not apply to this claim. Finjan reserves all rights to appeal or otherwise seek further review of these determinations.

I hope this addresses your confusion.

Sincerely,
Kris

Kris Kastens
Partner

Kramer Levin Naftalis & Frankel LLP
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From: Glucoft, Josh <JGlucoft@irell.com>
Sent: Monday, January 7, 2019 11:46 AM
To: Kastens, Kris <KKastens@KRAMERLEVIN.com>; Andre, Paul <PAndre@KRAMERLEVIN.com>; Caire, Yuridia <YCaire@KRAMERLEVIN.com>; Hannah, James <JHannah@KRAMERLEVIN.com>; Hedvat, Shannon H. <SHedvat@KRAMERLEVIN.com>; Kobialka, Lisa <LKobialka@KRAMERLEVIN.com>; Lee, Hannah <HLee@KRAMERLEVIN.com>; Lee, Michael H. <MHLee@KRAMERLEVIN.com>; Manes, Austin <AManes@KRAMERLEVIN.com>; Martinez, Cristina <CMartinez@KRAMERLEVIN.com>; Nguyen, Stephanie <SNguyen@KRAMERLEVIN.com>; Xu, Linda <LXu@KRAMERLEVIN.com>
Cc: Carson, Rebecca <RCarson@irell.com>; Curran, Casey <ccurran@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>; Song, Sharon <ssong@irell.com>; Theilacker, Leah <LTheilacker@irell.com>; Wang, Kevin <kwang@irell.com>; #Juniper/Finjan [Int] <Juniper-Finjan@irell.com>

Subject: [EXTERNAL] RE: Finjan v. Juniper

Kris,

This is at least the third time we have had to follow up seeking clarification on Finjan's position. We need this information in order to fully respond to the Court's inquiries, and we will advise the Court of Finjan's inexplicable refusal to provide this information.

Regards,
Josh

From: Glucoft, Josh

Sent: Friday, January 4, 2019 2:14 PM

To: ~Kastens, Kristopher <kkastens@kramerlevin.com>; ~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>

Cc: Carson, Rebecca <RCarson@irell.com>; Curran, Casey <ccurran@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>; Song, Sharon <ssong@irell.com>; Theilacker, Leah <LTheilacker@irell.com>; Wang, Kevin <kwang@irell.com>; #Juniper/Finjan [Int] <Juniper-Finjan@irell.com>

Subject: RE: Finjan v. Juniper

Kris,

Please advise regarding the below. We need this information in order to fully respond to the Court's inquiries. Additionally, if Finjan refuses to confirm that Claim 9 of the '780 Patent and Claims 14 and 18 of the '494 Patent are only at issue for the ATP Appliance and no longer at issue for the SRX and Sky ATP products, please be prepared to discuss the issue during our confer next week.

Regards,
Josh

From: Glucoft, Josh

Sent: Thursday, January 3, 2019 12:40 PM

To: ~Kastens, Kristopher <kkastens@kramerlevin.com>; ~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>

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Subject: RE: Finjan v. Juniper

Kris,

Please confirm Finjan's position that Claim 9 of the '780 Patent and Claims 14 and 18 of the '494 Patent are only at issue for the ATP Appliance and no longer at issue for the SRX and Sky ATP products.

I am not available at 1 pm next Wednesday, January 9, but you can call my office at 2 pm next Wednesday to discuss the joint defense / common interest issue.

Best,
Josh

From: Kastens, Kris <KKastens@KRAMERLEVIN.com>

Sent: Thursday, January 3, 2019 11:35 AM

To: Glucoft, Josh <JGlucoft@irell.com>; ~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>

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Subject: Finjan v. Juniper

Josh,

Regarding the '494 and '780 Patents, the Court specifically excluded any determination of infringement of the ATP Appliance from the early summary judgment. As such, the claims of the '494 Patent and '780 Patent that were addressed during early summary judgment are still pending for the infringement of this product.

Also, we are available at 1PM on Wednesday, January 9th to discuss the joint defense/common interest issue. We'll call your office.

Provide alternative dates for the 30(b)(6) deposition.

Sincerely,
Kris

Kris Kastens

Partner

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[Bio](#)

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From: Glucoft, Josh <JGlucoft@irell.com>

Sent: Wednesday, January 2, 2019 12:42 PM

To: Andre, Paul <PAndre@KRAMERLEVIN.com>; Caire, Yuridia <YCaire@KRAMERLEVIN.com>; Hannah, James <JHannah@KRAMERLEVIN.com>; Hedvat, Shannon H. <SHedvat@KRAMERLEVIN.com>; Kastens, Kris <KKastens@KRAMERLEVIN.com>; Kobialka, Lisa <LKobialka@KRAMERLEVIN.com>; Lee, Hannah <HLee@KRAMERLEVIN.com>; Lee, Michael H. <MHLee@KRAMERLEVIN.com>; Manes, Austin <AManes@KRAMERLEVIN.com>; Martinez, Cristina <CMartinez@KRAMERLEVIN.com>; Nguyen, Stephanie <SNguyen@KRAMERLEVIN.com>; Xu, Linda <LXu@KRAMERLEVIN.com>

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Subject: [EXTERNAL] Discovery

Kris,

Juniper agrees to perform a reasonable search for the documents related to Joe Security that you identified in your December 20 letter.

Please provide times on Wednesday, January 9 that you are available to confer regarding documents that have been withheld pursuant to a joint defense/common interest privilege.

Lastly, Finjan failed to confirm the proposed January 8 date for the deposition of Juniper's 30(b)(6) witness on Topic 1. See 11/19/2018 Glucoft email to Kastens. As a result of Finjan's failure to respond, this deposition will be rescheduled.

Thanks,
Josh

Joshua P. Glucoft | Irell & Manella LLP | 310.203.7189 | www.irell.com

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