

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
Facsimile: (650) 752-1800

9 *Attorneys for Plaintiff*
10 FINJAN, INC.

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

15 FINJAN, INC., a Delaware Corporation,

16 Plaintiff,

17 v.

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

20 Defendant.
21

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

**DECLARATION OF KRISTOPHER
KASTENS IN SUPPORT OF PLAINTIFF
FINJAN, INC.'S ADMINISTRATIVE
MOTION TO FILE DOCUMENTS UNDER
SEAL**

1 I, Kristopher Kastens, declare:

2 1. I have personal knowledge of the facts stated herein.

3 2. I am an attorney at Kramer Levin Naftalis & Frankel LLP, counsel of record for Finjan,
4 Inc. (“Finjan”). I make this declaration in support of Plaintiff Finjan, Inc.’s Administrative Motion to
5 Seal its Motion for Relief from Judgment Pursuant to Fed. R. Civ. P. 60(b), pursuant to Civil Local
6 Rules 79-5(d)-(e).

7 3. I have reviewed the following documents and confirmed that they contain information
8 designated as “Confidential,” “Highly Confidential – Attorneys’ Eyes Only,” or “Highly Confidential –
9 Source Code” by Juniper pursuant to the stipulated protective order in this litigation.

10 Identification of Documents	11 Specific Page and Line Numbers to Seal	12 Entity that Designated the Information to be Confidential	13 Reason to Keep Sealed
14 Plaintiff Finjan, Inc.’s Opposition to Defendant Juniper Networks, Inc.’s Motion for Sanctions	15 Page 1, lines 14-16; Page 6, lines 7-9; Page 13, lines 6-9	16 Juniper	17 Designated by Juniper.
18 Exhibit 4 to the Declaration of Kristopher Kastens filed in support of Plaintiff Finjan, Inc.’s Opposition to Defendant Juniper Networks, Inc.’s Motion for Sanctions (“Kastens Declaration”)	19 The Entire Exhibit 4	20 Juniper	21 Produced by Juniper with a confidentiality designation.
22 Exhibit 6 to the Kastens Declaration	23 The Entire Exhibit 6	24 Juniper	25 Designated by Juniper.
26 Exhibit 12 to the Kastens Declaration	27 The Entire Exhibit 12	28 Juniper	29 Produced by Juniper with a confidentiality designation.
30 Exhibit 14 to the Kastens Declaration	The Entire Exhibit 14	Juniper	Produced by Juniper with a confidentiality designation.
Exhibit 15 to the Kastens Declaration	The Entire Exhibit 15	Juniper	Excerpt of a document produced by Juniper with a confidentiality designation.
Exhibit 16 to the Kastens Declaration	The Entire Exhibit 16	Juniper	Excerpt of a document produced by Juniper with a confidentiality designation.

1	Exhibit 19 to the Kastens Declaration	The Entire Exhibit 19	Juniper	Designated by Juniper.
2	Exhibit 21 to the Kastens Declaration	The Entire Exhibit 21	Designated by agreement between Finjan and Juniper	Finjan does not assert that the excerpt reflected in Exhibit 21 needs to be sealed. Finjan moves to seal pursuant to its agreement to give this transcript a confidentiality designation.
3				
4				
5				
6				
7				

8 4. This Administrative Motion to File Documents Under Seal should be granted because
 9 good cause and compelling reasons exist to seal the documents identified above, based on Juniper’s
 10 designations. Finjan seeks to seal only those documents and portions of documents that Juniper
 11 identified as containing confidential information pursuant to the Protective Order.

12 5. Finjan seeks to seal Plaintiff Finjan, Inc.’s Motion for Relief from Judgment Pursuant to
 13 Fed. R. Civ. P. 60(b) at the following page:line numbers: page 1, lines 14-16; page 6, lines 7-9; page 13,
 14 lines 6-9 and Exhibits 4, 6, 12, 14, 15, 16, 19, 21 to the Kastens Declaration filed in support of the same,
 15 because these portions contain information that Juniper has designated as “Confidential,” “Highly
 16 Confidential – Attorneys’ Eyes Only,” or “Highly Confidential – Source Code.”

17 I declare under penalty of perjury under the laws of the United States of America that each of the
 18 above statements is true and corrected. Executed on April 11, 2019, in Menlo Park, California.

19
 20 /s/ Kristopher Kastens
 21 Kristopher Kastens
 22
 23
 24
 25
 26
 27
 28