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Attorneys for Plaintiff
11 FINJAN, INC.

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **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

**DECLARATION OF KRISTOPHER
KASTENS IN SUPPORT OF PLAINTIFF
FINJAN, INC.’S OPPOSITION TO
DEFENDANT JUNIPER NETWORKS,
INC.’S MOTION FOR SANCTIONS**

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

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 for Sanctions.

6 2. Attached hereto as Exhibit 1 is a true and correct copy of pages 207-210, 226-239, 259-
7 284, 319, 324-327, 329-333, 375-386, 388-391, 408-409, 428-429, 471-473, 525-527, 547-555, 557-
8 558, 566, 587-589, 591-592, 604, 839-844, and 958-960 from the transcript of Trial proceedings held
9 on December 11-14, 2018.

10 3. Attached hereto as Exhibit 2 is a true and correct copy of a Juniper Press Release
11 entitled “Juniper Networks Unveils Advanced Anti-Malware Cloud Service, Security Management and
12 the Latest Firewalls to Protect Cloud-Enabled Enterprise Networks” bearing bates numbers FINJAN-
13 JN 400386-89, which was marked as Trial Exhibit 91.

14 4. Attached hereto as Exhibit 3 is a true and correct copy of the deposition testimony of
15 Scott Coonan played at trial, from his deposition taken on November 16, 2018.

16 5. Attached hereto as Exhibit 4 is a true and correct copy of the redacted transcript of a
17 phone call between John Garland and Scott Coonan, bearing bates numbers JNPR-
18 FNJN_29011_00960575-91, which was marked as Trial Exhibit 256.

19 6. Attached hereto as Exhibit 5 is a true and correct copy of the deposition testimony of
20 Chandra Nagarajan played at trial, from the deposition taken on May 31, 2018.

21 7. Attached hereto as Exhibit 6 is a true and correct copy of pages 63-64 from the
22 transcript of the deposition of Chandra Nagarajan, taken on May 31, 2018.

23 8. Attached hereto as Exhibit 7 is a true and correct copy of a Juniper technical document
24 entitled “Sky Advanced Threat Prevention License Types” bearing bates numbers FINJAN-JN
25 400271-72, marked as Trial Exhibit 182.

1 9. Attached hereto as Exhibit 8 is a true and correct copy of a Juniper technical Datasheet
2 entitled "SRX Series Services Gateways for the Branch" bearing bates numbers FINJAN-JN 045192-
3 210, which was marked as Trial Exhibit 345.

4 10. Attached hereto as Exhibit 9 is a true and correct copy of U.S. Patent No. 8,677,494
5 bearing Bates number FINJAN-JN 003821-48, which was marked as Trial Exhibit 1.

6 11. Attached hereto as Exhibit 10 is a true and correct copy of a Finjan webpage entitled
7 "FinjanMobile VitalSecurity" bearing bates numbers FINJAN-JN 046254-56, which was marked as
8 Trial Exhibit 372.

9 12. Attached hereto as Exhibit 11 is a true and correct copy of an e-mail chain between
10 counsel for Finjan and counsel for Juniper, dated November 22-25, 2018.

11 13. Attached hereto as Exhibit 12 is a true and correct copy of an e-mail chain between
12 Meredith McKenzie, Ivan Chaperot and Scott Coonan bearing bates numbers JNPR-
13 FNJN_29012_00962373-74, which was marked as Trial Exhibit 342.

14 14. Attached hereto as Exhibit 13 is a true and correct copy of the deposition testimony of
15 Alexander Icasiano played at trial, from his deposition taken on November 30, 2018.

16 15. Attached hereto as Exhibit 14 is a true and correct copy of a Juniper presentation
17 entitled "Sky Advanced Threat Prevention" bearing bates numbers JNPR-FNJN_29008_00514106-85,
18 which was marked as Trial Exhibit 88.

19 16. Attached hereto as Exhibit 15 is a true and correct copy of a Juniper excel spreadsheet
20 entitled "EndUser-Country," which was marked as Gupta Deposition Exhibit 12 and also Trial Exhibit
21 490.

22 17. Attached hereto as Exhibit 16 is a true and correct copy of a Juniper excel spreadsheet
23 entitled "Ship To Party-Country" which was marked as Gupta Deposition Exhibit 16 and also Trial
24 Exhibit 494.

25 18. Attached hereto as Exhibit 17 is a true and correct copy of the deposition testimony of
26 Shelly Gupta played at trial, from the deposition taken on December 7, 2018.

1 19. Attached hereto as Exhibit 18 is a true and correct copy of excerpts from a Juniper
2 Administration Guide entitled “Sky ATP–Sky Advanced Threat Prevention Administration Guide”
3 bearing bates numbers FINJAN-JN 044887, FINJAN-JN 045018 and FINJAN-JN 045019, which was
4 marked as Trial Exhibit 58.

5 20. Attached hereto as Exhibit 19 is a true and correct copy of pages 124-132 from the
6 transcript of the deposition of Michael Mitzenmacher, taken on July 3, 2018.

7 21. Attached hereto as Exhibit 20 is a true and correct copy of a letter from counsel for
8 Finjan, Paul Andre, to Honorable William Alsup from the above-referenced matter, filed on December
9 10, 2018 at Dkt. No. 312.

10 22. Attached hereto as Exhibit 21 is a true and correct copy of pages 192–197, 211–224,
11 252–253, and 255-256 from the transcript of the deposition of John Garland, taken on May 24, 2018.

12 23. Attached hereto as Exhibit 22 is a true and correct copy of pages 8-9 from the transcript
13 of proceedings in the above-referenced matter, held on July, 18, 2018.

14 24. Attached hereto as Exhibit 23 is a true and correct copy of pages 847–848, 853–854,
15 and 857 from the transcript of trial proceedings in *Finjan, Inc. v. Blue Coat Systems, Inc.*, No. 13-cv-
16 03999-BLF (N.D. Cal), held on July 24, 2015.

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

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21 /s/ Kristopher Kastens
22 Kristopher Kastens
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