

# EXHIBIT 7

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE WILLIAM H. ALSUP, JUDGE

FINJAN, INC.,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	No. C 17-5659 WHA
	)	
JUNIPER NETWORKS, INC.,	)	
	)	
Defendant.	)	
<hr/>		San Francisco, California
		Thursday, May 9, 2019

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Plaintiff: KRAMER, LEVIN, NAFTALIS & FRANKEL LLP  
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Reported By: Katherine Powell Sullivan, CSR No. 5812, RMR, CRR  
Official Reporter

1 a different date. My law clerk, who is so familiar with this  
2 case, is going to be leaving in November.

3 I'm going to be in Korea giving a patent speech. I  
4 actually may think about canceling it because these patent  
5 cases are driving me crazy. And as soon as I'm eligible to  
6 stop taking patent cases -- I'm serious. Cases like yours have  
7 ruined me on this system because of the BS that goes on in  
8 these cases.

9 But I -- you have four lawyers over there. You don't --  
10 you have a gigantic team on the Finjan side. Somebody can try  
11 this case. It doesn't have to be you.

12 **MR. ANDRE:** Well, I agree, Your Honor.

13 **THE COURT:** So you're going to try it on October 29th.  
14 And it's going to be every single issue left in the case is  
15 going to go to trial.

16 But you're not going to get 50 hours of time per side.  
17 It's going to be what you would get in a normal patent case,  
18 which with some judges it's 10 hours. Maybe you'll get more  
19 than that. I have to wait until the final pretrial conference.

20 Then it would be over. O-v-e-r. And it will be the  
21 Federal Circuit's problem.

22 What did you want to say?

23 **MR. ANDRE:** Your Honor, if it was just me having a  
24 conflict, I wouldn't raise it for the Court. But Finjan has a  
25 trial set for October 29th, in Judge Bencivengo's court in the

1 Southern District of California.

2 **THE COURT:** You have plenty of lawyers here.

3 **MR. ANDRE:** I know, but we don't have the witnesses.

4 Mr. Hartstein, who is Finjan's CEO, he is here today.

5 **THE COURT:** Too bad.

6 **MR. ANDRE:** He can't be here and there.

7 **THE COURT:** Videotape it. Maybe I'll let you do it by  
8 videotape.

9 I have a law clerk who is going to be leaving. I'm not  
10 going to -- you have multiple lawyers. You've got multiple  
11 witnesses. You can preserve the testimony.

12 And that other case will settle anyway. I know how it  
13 works. My law clerk, though, is not going to extend just so  
14 Mr. Andre can have a stand around the water cooler.

15 No. You're going to go to trial on October 29th.

16 **MR. ANDRE:** Your Honor, we want to go to trial. I  
17 have experts who are overlapping.

18 **THE COURT:** No. I cannot -- my law clerk is leaving  
19 in November. I have to get the case done by then.

20 **MR. ANDRE:** Could I ask for, maybe, the Court's  
21 assistance if I were to ask Judge Bencivengo to move our trial  
22 date there so our witnesses could actually show up at trial?

23 **THE COURT:** Go ahead. You can blame me. Blame me and  
24 blame my law clerk. But you -- I am not going to change it,  
25 because you can always just videotape the testimony.

1           **MR. ANDRE:** Okay. So right now we're scheduled for  
2 October 21st in this case --

3           **THE COURT:** In my case?

4           **MR. ANDRE:** -- and October 29th in one in San Diego.  
5 So I'll talk to Judge Bencivengo.

6           **THE COURT:** October 21 in my case.

7           **MR. ANDRE:** Yeah. So --

8           **THE COURT:** I said 29. I meant 21.

9           **MR. ANDRE:** We'll talk to Judge Bencivengo. We'll --

10          **THE COURT:** I'm not asking -- don't say that  
11 Judge Alsup is ordering. No. You can videotape the testimony  
12 in my case, and I would allow you to present it by videotape.  
13 That would be fine. Or just a regular deposition.

14          But she is leaving, and it would be a huge, huge problem  
15 for me if I have to bring a new law clerk up to speed on  
16 Finjan, or Juniper for that matter. She understands this  
17 technology, and I need her on this case.

18          **MR. ANDRE:** And, Your Honor, with that in mind, is  
19 there any -- I know there are some rules that if -- can counsel  
20 leave and come back?

21          **THE COURT:** You can leave and come back.

22          **MR. ANDRE:** Okay.

23          **THE COURT:** I'll give you flexibility.

24          I'll explain to the jury that Finjan is suing so many  
25 people in so many parts of the country that you have to be in