

# EXHIBIT 1

**From:** Petersen, Ingrid <ipetersen@irell.com>  
**Sent:** Friday, May 17, 2019 1:47 PM  
**To:** Caire, Yuridia <YCaire@KRAMERLEVIN.com>  
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**Subject:** [EXTERNAL] RE: Finjan v. Juniper

Dear Yuri:

As you know, the parties have been focused on prioritizing issues that related to the second round of the Patent Showdown, as well as the issues that were previously set for trial in July. Now that the Court has decided the second round of summary judgement motions and vacated the July trial date, we are trying to work with you to address the remaining fact discovery issues in an efficient and reasonable manner. As such, your allegations that Juniper has unreasonably delayed addressing Finjan's discovery requests are unwarranted.

We expected that Finjan would narrow the patents and claims that it is asserting per the Court's directive in its submission on Wednesday, but we note that Finjan did not do so. Before we conduct any additional discovery, we think it makes sense for Finjan to identify the particular patents and claims it intends to pursue at the October trial. This is important because it will ensure that the parties are not wasting time on claims that Finjan has no intention of pursuing. When does Finjan intend to narrow its claims?

With regard to depositions, we recently checked the deposition record and noticed that Finjan has already used 10 days of fact depositions: (1) Yuly Tenorio on 5/9/18, (2) Rakesh Manocha on 5/16/18, (3) Raju Manthena on 5/30/19, (4) Chandra Nagarajan on 5/31/18, (5) Meredith McKenzie on 11/14/18, (6) Michael Bushong on 11/15/18, (7) Scott Coonan on 11/16/18, (8) Shelly Gupta on 11/16/18, (9) Rule 30(b)(6) Deposition of Juniper (Alex Icasiano on 11/30/18 for approximately 3 1/2 hours + Shelly Gupta on 12/7/18 for approximately 3 hours), and (10) Rule 30(b)(6) deposition of Juniper (Khurram Isla on 2/7/19 approximately 4 hours)). Thus, based on our understanding of Federal Rule of Civil Procedure 30(a)(2), Finjan cannot take any additional depositions unless it obtains leave from the Court. Could you please let us know the basis for Finjan's belief that it can take additional depositions (i.e., Jas, Touboul, and the additional Rule 30(b)(6)?

With regard to Juniper's supplemental discovery, Juniper intends to supplement several interrogatory responses next week. In addition, Juniper plans to produce updated financial data that (1) adds data from the months since Juniper's last production, and (2) formats the data in a manner that may be easier to interpret. We are hoping to produce this updated financial data by the end of next week, but there is a chance that it may not be ready to produce until the following week

As for the remainder of Finjan's outstanding requests, I can confirm the following:

- With regard to Finjan's request for documents sufficient to show the number of files submitted to and processed by Sky ATP since October 2015 (RFP Nos. 119-121), based on our current investigation it does not appear that such documents exist. However, we are investigating whether we can provide some information for a more limited time period.
- With regard to Finjan's RFP No. 31 (regarding documents that show products or services that were bundled and sold with the Accused Instrumentalities), it appears based on our current investigation that Juniper does not track this information in the normal course of business. As such, there does not appear to be any responsive documents to produce. We agree to continue to investigate this issue, and will let you know if we are able to locate any responsive documents.
- With regard to licenses, Juniper has already produced all licenses involving comparable technology and/or economic circumstances. The specific licenses that Finjan has requested (Carbon Black, Palo Alto, and Cisco) are not relevant as they do not involve comparable technology or economic circumstances. However, as a compromise Juniper agrees to produce the license between Cisco and Juniper.
- With regard to deposition transcripts, Juniper continues to believe that Finjan's requests (RFP Nos. 114-116) are overly broad and unduly burdensome. However, as a compromise Juniper will agree to investigate whether there are any deposition transcripts for Juniper employees or representatives who were deposed in any prior patent litigations involving Sky ATP or ATP Appliance, and produce them if they exist.
- With regard to Finjan's request for documents sufficient to identify all servers that interact with Sky ATP and SRX devices (RFP Nos. 126 and 127), we have repeatedly told you that it is not possible for us to respond to these requests as they would encompass every single server that any Juniper customer has ever contacted. Juniper does not have documents sufficient to show this information, nor is it relevant. If Finjan is willing to appropriately narrow its request, Juniper would be happy to consider it. However, Finjan has thus far refused to narrow its request in any way.

As always, we would be happy to schedule another call to discuss these issues with you if you believe that would be helpful.

Best wishes,

Ingrid

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**From:** Caire, Yuridia <[YCaire@KRAMERLEVIN.com](mailto:YCaire@KRAMERLEVIN.com)>

**Sent:** Wednesday, May 15, 2019 12:25 PM

**To:** Petersen, Ingrid <[ipetersen@irell.com](mailto:ipetersen@irell.com)>

**Cc:** ~Andre, Paul <[pandre@kramerlevin.com](mailto:pandre@kramerlevin.com)>; ~Hannah, James <[jhannah@kramerlevin.com](mailto:jhannah@kramerlevin.com)>; ~Kobialka, Lisa <[lkobialka@kramerlevin.com](mailto:lkobialka@kramerlevin.com)>; ~Manes, Austin <[amanes@kramerlevin.com](mailto:amanes@kramerlevin.com)>; ~Kastens, Kristopher <[kkastens@kramerlevin.com](mailto:kkastens@kramerlevin.com)>; Carson, Rebecca <[RCarson@irell.com](mailto:RCarson@irell.com)>; Glucoft, Josh <[JGlucoft@irell.com](mailto:JGlucoft@irell.com)>; Heinrich, Alan <[AHeinrich@irell.com](mailto:AHeinrich@irell.com)>; Holland, Eileen <[EHolland@irell.com](mailto:EHolland@irell.com)>; Isaac, Shawana <[Sisaac@irell.com](mailto:Sisaac@irell.com)>; Kagan, Jonathan <[JKagan@irell.com](mailto:JKagan@irell.com)>; Manzano, Jim <[JManzano@irell.com](mailto:JManzano@irell.com)>; Mittleman, Harry <[HMittleman@irell.com](mailto:HMittleman@irell.com)>; Quarnstrom, Brian <[BQuarnstrom@irell.com](mailto:BQuarnstrom@irell.com)>; Theilacker, Leah <[LTheilacker@irell.com](mailto:LTheilacker@irell.com)>; Wang, Kevin <[kwang@irell.com](mailto:kwang@irell.com)>

**Subject:** RE: [EXTERNAL] RE: Finjan v. Juniper

Ingrid,

We met and conferred on this six weeks ago and at that time Juniper stated it would be producing information and supplemental responses within a couple of weeks. Juniper's continued delay is unacceptable. Please identify what specifically you are producing and confirm that you will produce it at the latest with the discovery responses next

week. For Mr. Jas, please provide availability on May 23 or 24<sup>th</sup>. For the outstanding 30(b)(6), it will depend on when Juniper provides the updated information but please provide where the witness is located and who it is.

Yuri

**Yuridia Caire**

Associate

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**From:** Petersen, Ingrid [<mailto:ipetersen@irell.com>]

**Sent:** Wednesday, May 15, 2019 12:07 PM

**To:** Caire, Yuridia

**Cc:** Andre, Paul; Hannah, James; Kobialka, Lisa; Manes, Austin; Kastens, Kris; Carson, Rebecca; Glucoft, Josh; Heinrich, Alan; Holland, Eileen; Isaac, Shawana; Kagan, Jonathan; Manzano, Jim; Mittleman, Harry; Quarnstrom, Brian; Theilacker, Leah; Wang, Kevin

**Subject:** RE: [EXTERNAL] RE: Finjan v. Juniper

Dear Yuri,

Juniper intends to serve supplemental discovery responses by the end of next week, with updated financial data produced shortly thereafter. In view of this, we think it makes sense for the parties to postpone meeting and conferring on these issues until after Juniper serves its supplemental responses, as those responses may resolve many of the outstanding issues. We also note that many of these issues may be impacted by Finjan's selection of claims that it intends to pursue at the October trial.

Additionally, we are looking into deposition dates in June for Mr. Jas and the Rule 30(b)(6) deposition that Finjan requested, and should be able to provide those shortly. If you have a preferred range of dates for these depositions, please let us know and we can do our best to accommodate that request.

Best Wishes,

Ingrid

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**From:** Caire, Yuridia <[YCaire@KRAMERLEVIN.com](mailto:YCaire@KRAMERLEVIN.com)>

**Sent:** Tuesday, May 14, 2019 7:37 AM

**To:** Petersen, Ingrid <[ipetersen@irell.com](mailto:ipetersen@irell.com)>

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**Subject:** Re: [EXTERNAL] RE: Finjan v. Juniper

Ingrid,

Juniper previously agreed to produce updated information and its continued delay to produce such information and provide deposition dates is not warranted. Please provide lead counsel availability for a meet and confer for this week or early next week.

Yuridia Caire

Associate

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On May 10, 2019, at 4:14 PM, Petersen, Ingrid <[ipetersen@irell.com](mailto:ipetersen@irell.com)> wrote:

Dear Yuri:

Because of the Court's recent summary judgment orders and the resetting of trial, it makes the most sense for the parties to touch base after Finjan informs the Court which patents/claims it intends to pursue at the October trial. These recent events impact Finjan's outstanding requests, such as the relevant damages period and which licenses (if any) are relevant.

Best wishes,

Ingrid

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**From:** Caire, Yuridia <[YCaire@KRAMERLEVIN.com](mailto:YCaire@KRAMERLEVIN.com)>

**Sent:** Wednesday, May 8, 2019 10:56 AM

**To:** Petersen, Ingrid <[ipetersen@irell.com](mailto:ipetersen@irell.com)>; Glucoft, Josh <[JGlucoft@irell.com](mailto:JGlucoft@irell.com)>; Carson, Rebecca <[RCarson@irell.com](mailto:RCarson@irell.com)>; Heinrich, Alan <[AHeinrich@irell.com](mailto:AHeinrich@irell.com)>; Holland, Eileen <[EHolland@irell.com](mailto:EHolland@irell.com)>; Isaac, Shawana <[Sisaac@irell.com](mailto:Sisaac@irell.com)>; Kagan, Jonathan <[JKagan@irell.com](mailto:JKagan@irell.com)>; Manzano, Jim <[JManzano@irell.com](mailto:JManzano@irell.com)>; Quarnstrom, Brian <[BQuarnstrom@irell.com](mailto:BQuarnstrom@irell.com)>; Theilacker, Leah <[LTheilacker@irell.com](mailto:LTheilacker@irell.com)>; Wang, Kevin <[kwang@irell.com](mailto:kwang@irell.com)>

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**Subject:** RE: Finjan v. Juniper

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