

**Glucoft, Josh**

**EXHIBIT 2**

**From:** Wang, Kevin  
**Sent:** Friday, April 6, 2018 11:38 AM  
**To:** ~Manes, Austin  
**Cc:** ~Andre, Paul; ~Kobialka, Lisa; ~Hannah, James; ~Kastens, Kristopher; Kagan, Jonathan; Carson, Rebecca; Glucoft, Josh; Holland, Eileen; Curran, Casey  
**Subject:** RE: Finjan v. Juniper - 3:17-cv-05659-WHA

Austin,

We understand that Dr. Cole refuses to agree to not work for a Juniper competitor for the next five years. We will of course consider any proposal that will minimize the risk of prejudice to Juniper relating to Dr. Cole. Please let me know, thank you.

Kevin

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**From:** Wang, Kevin  
**Sent:** Thursday, April 5, 2018 4:41 PM  
**To:** 'Manes, Austin' <AManes@KRAMERLEVIN.com>  
**Cc:** ~Andre, Paul <pandre@kramerlevin.com>; ~Kobialka, Lisa <lkobialka@kramerlevin.com>; ~Hannah, James <jhannah@kramerlevin.com>; ~Kastens, Kristopher <kkastens@kramerlevin.com>; Kagan, Jonathan <JKagan@irell.com>; Carson, Rebecca <RCarson@irell.com>; Glucoft, Josh <JGlucoft@irell.com>; Holland, Eileen <EHolland@irell.com>; Curran, Casey <ccurran@irell.com>  
**Subject:** RE: Finjan v. Juniper - 3:17-cv-05659-WHA

Austin,

Thank you for conferring today regarding Dr. Cole.

Please also confirm that Dr. Cole has abided by all applicable ethical rules in his prior work for Finjan, including prohibitions against contacting represented parties.

Thanks,  
Kevin

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**From:** Manes, Austin [<mailto:AManes@KRAMERLEVIN.com>]  
**Sent:** Wednesday, April 4, 2018 3:29 PM  
**To:** Wang, Kevin <[kwang@irell.com](mailto:kwang@irell.com)>  
**Cc:** ~Andre, Paul <[pandre@kramerlevin.com](mailto:pandre@kramerlevin.com)>; ~Kobialka, Lisa <[lkobialka@kramerlevin.com](mailto:lkobialka@kramerlevin.com)>; ~Hannah, James <[jhannah@kramerlevin.com](mailto:jhannah@kramerlevin.com)>; ~Kastens, Kristopher <[kkastens@kramerlevin.com](mailto:kkastens@kramerlevin.com)>; Kagan, Jonathan <[JKagan@irell.com](mailto:JKagan@irell.com)>; Carson, Rebecca <[RCarson@irell.com](mailto:RCarson@irell.com)>; Glucoft, Josh <[JGlucoft@irell.com](mailto:JGlucoft@irell.com)>; Holland, Eileen <[EHolland@irell.com](mailto:EHolland@irell.com)>; Curran, Casey <[ccurran@irell.com](mailto:ccurran@irell.com)>  
**Subject:** RE: Finjan v. Juniper - 3:17-cv-05659-WHA

Kevin,

I'll call you at noon tomorrow.

Austin

Austin Manes  
Associate

Kramer Levin Naftalis & Frankel LLP  
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**From:** Wang, Kevin <[kwang@irell.com](mailto:kwang@irell.com)>  
**Sent:** Wednesday, April 4, 2018 3:25 PM  
**To:** Manes, Austin <[AManes@KRAMERLEVIN.com](mailto:AManes@KRAMERLEVIN.com)>  
**Cc:** Andre, Paul <[PAandre@KRAMERLEVIN.com](mailto:PAandre@KRAMERLEVIN.com)>; Kobialka, Lisa <[LKobialka@KRAMERLEVIN.com](mailto:LKobialka@KRAMERLEVIN.com)>; Hannah, James <[JHannah@KRAMERLEVIN.com](mailto:JHannah@KRAMERLEVIN.com)>; Kastens, Kris <[KKastens@KRAMERLEVIN.com](mailto:KKastens@KRAMERLEVIN.com)>; Kagan, Jonathan <[JKagan@irell.com](mailto:JKagan@irell.com)>; Carson, Rebecca <[RCarson@irell.com](mailto:RCarson@irell.com)>; Glucoft, Josh <[JGlucoft@irell.com](mailto:JGlucoft@irell.com)>; Holland, Eileen <[EHolland@irell.com](mailto:EHolland@irell.com)>; Curran, Casey <[ccurran@irell.com](mailto:ccurran@irell.com)>  
**Subject:** [EXTERNAL] RE: Finjan v. Juniper - 3:17-cv-05659-WHA

Austin,

There are several outstanding issues we have not met and conferred on. Finjan has not directly addressed several issues brought up by Juniper, including why Finjan continues to insist on disclosing Protected Material to a former employee of a competitor when Finjan has already designated three other experts to which Juniper has not objected. Many of these experts have also worked with Finjan in the past. Moreover, Finjan now claims that Juniper is objecting as a pretext to drive up costs for Finjan. While this is simply not true, you have also not given us any information relating to these alleged costs. If you provide that information we can discuss it.

Regardless, in an effort to compromise we propose that Dr. Cole agrees to not work for a Juniper competitor for the next 5 years, either directly or indirectly. This would alleviate some of Juniper's concern by firmly showing Dr. Cole "is not anticipated to become an employee of a Party or a Party's competitor" pursuant to section 2.7 of the governing Model Protective Order.

We cannot meet and confer today, but you would presumably need time to consider and discuss this with Dr. Cole. I can confer with you either tomorrow at noon or early next week. Please let me know, thank you.

Kevin

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**From:** Manes, Austin [<mailto:AManes@KRAMERLEVIN.com>]  
**Sent:** Wednesday, April 4, 2018 8:34 AM  
**To:** Wang, Kevin <[kwang@irell.com](mailto:kwang@irell.com)>  
**Cc:** ~Andre, Paul <[pandre@kramerlevin.com](mailto:pandre@kramerlevin.com)>; ~Kobialka, Lisa <[lkobialka@kramerlevin.com](mailto:lkobialka@kramerlevin.com)>; ~Hannah, James <[jhannah@kramerlevin.com](mailto:jhannah@kramerlevin.com)>; ~Kastens, Kristopher <[kkastens@kramerlevin.com](mailto:kkastens@kramerlevin.com)>; Kagan, Jonathan <[JKagan@irell.com](mailto:JKagan@irell.com)>; Carson, Rebecca <[RCarson@irell.com](mailto:RCarson@irell.com)>; Glucoft, Josh <[JGlucoft@irell.com](mailto:JGlucoft@irell.com)>; Holland, Eileen <[EHolland@irell.com](mailto:EHolland@irell.com)>; Curran, Casey <[ccurran@irell.com](mailto:ccurran@irell.com)>  
**Subject:** RE: Finjan v. Juniper - 3:17-cv-05659-WHA