

Exhibit B

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FINJAN, INC.

9
10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**
13

14 FINJAN, INC., a Delaware Corporation,

15 Plaintiff,

16 v.

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

19 Defendant.
20

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

**PLAINTIFF FINJAN, INC.'S OBJECTIONS
AND RESPONSES TO DEFENDANT
JUNIPER NETWORKS, INC.'S SECOND
SET OF REQUESTS FOR PRODUCTION
(NOS. 1-15)**

1 Pursuant to Fed. R. Civ. P. 34, Plaintiff Finjan, Inc. (“Finjan”) responds to Defendant, Juniper
2 Networks, Inc.’s (“Juniper” or “Defendant”) Second Set of Requests for Production (“Requests”).
3 Finjan makes these objections and responses herein (collectively “Responses”) based solely on its
4 current knowledge, understanding, and belief as to the facts and information reasonably available to it
5 as of the date of the Responses.

6 Finjan’s response that it will produce documents means that Finjan will produce relevant,
7 responsive, and non-privileged documents located after a reasonable search of documents in its
8 custody and control. Finjan’s response that it will produce documents does not mean that any
9 responsive documents actually exist; only that Finjan has made, and will continue to make, a
10 reasonable, good faith effort to locate responsive documents. Finjan will produce documents in
11 response to these requests on a rolling basis and will complete the production no later than March 29,
12 2019.

13 Additional discovery and investigation may lead to additions to, changes in, or modifications of
14 these Responses. The Responses, therefore, are given without prejudice to Finjan’s right to
15 supplement these Responses pursuant to Fed. R. Civ. P. 26(e), or to provide subsequently discovered
16 information and to introduce such subsequently discovered information at the time of any trial or
17 proceeding in this action.

18 **GENERAL OBJECTIONS**

19 1. Finjan hereby incorporates by reference each and every general objection set forth
20 below into each and every specific Response. From time to time, a specific Response may repeat a
21 general objection for emphasis or for some other reason. The failure to include a general objection in a
22 specific Response shall not be interpreted as a waiver of that general objection to that Response.

23 2. Finjan objects to each and every Request, Definition, and Instruction to the extent that
24 they are vague, ambiguous, unintelligible, or compound.

25 3. Finjan objects to each and every Request, Definition, and Instruction to the extent that
26 they are overly broad, unduly burdensome, seek information not relevant to the claim or defense of any
27 party and are not proportional to the needs of this case.

1 4. Finjan objects to each and every Request, Definition, and Instruction to the extent that
2 they are not reasonably calculated to lead to the discovery of admissible information.

3 5. Finjan objects to each and every Request, Definition and Instruction to the extent they
4 are overly broad because they are not properly limited in time.

5 6. Finjan objects to each and every Request, Definition, and Instruction to the extent that
6 they are unduly burdensome and oppressive, to the extent they subject Finjan to unreasonable and
7 undue effort or expense.

8 7. Finjan objects to each and every Request, Definition, and Instruction to the extent that
9 they seek information beyond Finjan's actual knowledge, custody, or control.

10 8. Finjan objects to each and every Request, Definition, and Instruction to the extent they
11 are unreasonably cumulative or duplicative.

12 9. Finjan objects to each and every Request, Definition, and Instruction to the extent they
13 seek information that is obtainable from some other source that is more convenient, less burdensome,
14 or less expensive.

15 10. Finjan objects to each and every Request, Definition, and Instruction to the extent that
16 they seek information within Defendant's possession, custody or control.

17 11. Finjan objects to each and every Request, Definition, and Instruction to the extent they
18 seek information in the public domain, information equally available to Defendant from another
19 source, and/or information that can be obtained more efficiently by Defendant through other means of
20 discovery. Defendant can ascertain such information from its own records or from other sources at
21 least as readily as Finjan.

22 12. Finjan objects to each and every Request, Definition, and Instruction to the extent that
23 they seek confidential, business, financial, proprietary or sensitive information, or trade secrets of third
24 parties, which may be subject to pre-existing protective order(s) and/or confidentiality agreements or in
25 which any third party has an expectation of privacy. Such information shall not be provided absent an
26 express order to the contrary from a court of competent jurisdiction, or an authorization from the third
27 party having the interest in the information's confidentiality.

1 13. Finjan objects to each and every Request, Definition, and Instruction to the extent they
2 seek information protected by the attorney-client privilege, the work product doctrine, or any other
3 applicable law, privilege, doctrine or immunity. Finjan will not disclose any information so protected,
4 and the inadvertent disclosure or identification of any such information is not intended as, and will not
5 constitute, a waiver of such privilege, doctrine, or immunity.

6 14. Finjan objects to each and every Request, Definition, and Instruction to the extent they
7 call for a legal conclusion. Finjan's Responses shall not be construed as providing legal conclusions
8 concerning the meaning or application of any terms used in Defendant's Requests.

9 15. Finjan objects to each and every Request, Definition, and Instruction to the extent that
10 they are premature and/or cumulative, as they seek documents that are set to be disclosed on scheduled
11 dates directed by the Court or the Northern District of California Patent Local Rules.

12 16. Finjan objects to each and every Request, Definition, and Instruction to the extent that
13 they are premature, as the Court has not yet entered a claim construction order in this action.

14 17. Finjan objects to each and every Request, Definition, and Instruction as premature to
15 the extent they seek information that will be the subject of expert testimony.

16 18. Finjan objects to each and every Request, Definition, and Instruction to the extent that
17 they impose obligations inconsistent with the Joint Case Management Statement filed on February 15,
18 2018 at Dkt. No. 31, Judge Alsup's standing orders, the Patent Local Rule 2-2 Interim Model
19 Protective Order, or the protective order and/or ESI order to be entered in this case.

20 19. Finjan objects to each and every Request, Definition, and Instruction to the extent they
21 assume or mischaracterize any facts. Finjan's Responses shall not be construed as agreeing to any
22 facts or characterizations contained in Defendant's Requests.

23 20. Finjan objects to each and every Request, Definition, and Instruction to the extent that
24 they purport to impose any requirement or discovery obligation greater than or different from those
25 imposed by the Federal Rules of Civil Procedure, the Local Rules of this Court, or orders of the Court
26 governing these proceedings.
27
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