

# Exhibit 1

## Glucoft, Josh

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**From:** Williams, Daniel <DDWilliams@KRAMERLEVIN.com>  
**Sent:** Friday, June 14, 2019 4:39 PM  
**To:** Glucoft, Josh  
**Cc:** ~Andre, Paul; ~Kobialka, Lisa; ~Hannah, James; ~Kastens, Kristopher; Carson, Rebecca; Heinrich, Alan; Holland, Eileen; Isaac, Shawana; Kagan, Jonathan; Manzano, Jim; Mittleman, Harry; Quarnstrom, Brian; Theilacker, Leah; Wang, Kevin; #Juniper/Finjan [Int]  
**Subject:** RE: Depositions and 30(b)(6) topics

Josh,

Finjan agrees to withdraw its requests for Messrs. Kuznetsov and Marcellin given Juniper's confirmation that they are not calling them at trial and will not use them in support of any expert report.

We confirm the deposition of Mr. Jas on July 2. We'll start at 8AM to make sure we have sufficient time on the record.

Finjan is still looking into whether Mr. Touboul can make it to the U.S. for his deposition.

Finjan's position is that a 30(b)(6) depositions of under 3.5 hours does not count as a deposition and any 30(b)(6) deposition of over 3.5 hours counts as a deposition.

Sincerely,  
Dan

Daniel Williams  
Associate

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**From:** Glucoft, Josh <JGlucoft@irell.com>  
**Sent:** Thursday, June 13, 2019 10:14 AM  
**To:** Williams, Daniel <DDWilliams@KRAMERLEVIN.com>  
**Cc:** Andre, Paul <PAndre@KRAMERLEVIN.com>; Kobialka, Lisa <LKobialka@KRAMERLEVIN.com>; Hannah, James <JHannah@KRAMERLEVIN.com>; Kastens, Kris <KKastens@KRAMERLEVIN.com>; Carson, Rebecca <RCarson@irell.com>; Heinrich, Alan <AHeinrich@irell.com>; Holland, Eileen <EHolland@irell.com>; Isaac, Shawana <SIsaac@irell.com>; Kagan, Jonathan <JKagan@irell.com>; Manzano, Jim <JManzano@irell.com>; Mittleman, Harry <HMittleman@irell.com>; Quarnstrom, Brian <BQuarnstrom@irell.com>; Theilacker, Leah <LTheilacker@irell.com>;

Wang, Kevin <[kwang@irell.com](mailto:kwang@irell.com)>; #Juniper/Finjan [Int] <[Juniper-Finjan@irell.com](mailto:Juniper-Finjan@irell.com)>

**Subject:** [EXTERNAL] RE: Depositions and 30(b)(6) topics

Dan,

With respect to Mr. Volodymyr Kuznetsov and Mr. Michael Marcellin, Juniper can confirm that they will not be testifying at trial, and thus does Juniper does not agree that there is good cause for Finjan to take their depositions.

The deposition of Mr. Jas will take place on July 2 with a hard stop at 5 pm, however we are available to start a little earlier than 9 am if Finjan believes that is necessary.

In view of Judge Hixson's Order at Dkt. No. 518, please confirm whether Finjan intends to depose Mr. Touboul in the Northern District of California and please propose dates for his deposition.

Lastly, please clarify whether Finjan believes that, in view of Judge Hixson's Order at Dkt. No. 518, Finjan may take up to seven more Rule 30(b)(6) depositions so long as each such deposition is 3.5 hours or less.

Regards,  
Josh

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**From:** Williams, Daniel <[DDWilliams@KRAMERLEVIN.com](mailto:DDWilliams@KRAMERLEVIN.com)>

**Sent:** Thursday, June 6, 2019 6:01 PM

**To:** Glucoft, Josh <[JGlucoft@irell.com](mailto:JGlucoft@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)>; 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)>; 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)>; #Juniper/Finjan [Int] <[Juniper-Finjan@irell.com](mailto:Juniper-Finjan@irell.com)>

**Subject:** Depositions and 30(b)(6) topics

Counsel,

As Judge Hixson has determined that Finjan has taken no more than 8 depositions, provide times for the deposition of Mr. Jas. Furthermore, provide a date for the already identified 30(b)(6) topic on revenue.

Finjan will also take the deposition of the following Juniper employees currently listed on Juniper's initial disclosures: Volodymyr Kuznetsov and Michael Marcellin. Confirm that Juniper does not object to Finjan taking the deposition of these employees based on the number of depositions taken by Finjan, as Juniper has more than 10 people on its initial disclosures. If Juniper refuses to make these employees available for deposition, provide times for a lead counsel meet and confer on this.

Finally, provide times that Juniper is available to meet and confer regarding scheduling depositions for the following 30(b)(6) Topics:

- Juniper's acquisition of Cyphort Inc., including reasoning for the acquisition and the terms of the acquisition.
- The nature of any alleged non-infringing alternatives or design-arounds to the inventions of the Asserted Patents, including the cost of implementing such alternatives or design-arounds and how such costs were calculated.
- Any technology license agreements (including hardware or software) or patent license agreements Juniper is aware of related to any component or technology of the Accused Instrumentalities, including the dates of such agreements, the length of the negotiations of the agreements, the terms of the agreements, the subject

product(s) or technolog(ies) of the agreements, how any license fee or royalties were determined or calculated, whether alternate license fee or payment structures were considered during negotiations, and names and titles of the individuals who were involved in negotiating the agreements.

- Juniper's sales and marketing strategies with respect to the Accused Instrumentalities, including bundling or cross-selling/upselling of any products with the Accused Instrumentalities, how Juniper conducts competitive analysis, any surveys or studies concerning why customers purchase the Accused Instrumentalities, what features are most used, how often features are used, and what drives sales of the Accused Instrumentalities.
- The operation and development of the cooking pipeline in the ATP Appliance, including the operation of the Pipeline Agent, Slow Cooker, and HRE engine.
- The manner in which the ATP Appliance stores results of analysis, including the operation and development of clusterDB in the ATP Appliance.

Sincerely,  
Dan

**Daniel Williams**

Associate

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Bio

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