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Attorneys for Defendant
JUNIPER NETWORKS, INC.

16 **IN THE UNITED STATES DISTRICT COURT**
17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**

19 FINJAN, INC., a Delaware Corporation,

20 Plaintiff,

21 v.

22 JUNIPER NETWORKS, INC., a Delaware
23 Corporation,

24 Defendant.

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

**STIPULATION AND [PROPOSED] ORDER
REGARDING TRIAL DEMONSTRATIVES**

Hon. William H. Alsup

1 Plaintiff Finjan, Inc. (“Finjan”) and Defendant Juniper Networks, Inc. (“Juniper”), hereby
2 stipulate as follows:

3 WHEREAS, in accordance with the Fourth Amended Case Management Order (Dkt. No. 527),
4 the deadline to serve opening expert reports is July 19, 2019 and the deadline to serve opposition
5 expert reports is August 16, 2019;

6 WHEREAS, The Guidelines for Trial and Final Pretrial Conference in Civil Jury Cases Before
7 The Honorable William Alsup (“Guidelines”) states that “[i]llustrative animations, diagrams, charts
8 and models may be used on direct examination only if they were part of the expert’s report, with the
9 exception of simple drawings and tabulations that plainly illustrate what is already in the report” and
10 that “[b]y written stipulation, of course, all sides may relax these requirements.” (Guidelines at ¶ 15).

11 WHEREAS, the parties agree that the exchange of all trial demonstratives for experts,
12 including those as set forth in the Guidelines, will be deferred and instead disclosed according to the
13 schedule below.

14 NOW, THEREFORE, by and through their respective counsel of record, the parties hereby
15 stipulate and agree as follows:

- 16 • The parties need not exchange demonstratives at the same time as the service of expert
17 reports.
- 18 • Consistent with the previous Pretrial Order governing the first trial in this case, all
19 demonstratives to be used during the direct examination of an expert shall be disclosed
20 to the opposing party no later than 3:00 p.m. the day before the party intends to use the
21 demonstrative.
- 22 • Consistent with the previous Pretrial Order governing the first trial in this case, all
23 objections to expert demonstratives shall be served by 5:00 p.m. on the day that such
24 demonstrative is disclosed.
- 25 • Consistent with the previous Pretrial Order governing the first trial in this case, parties
26 need not disclose demonstratives that they intend to use on the cross-examination of an
27 opposing expert.

1 **IT IS SO STIPULATED.**

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Respectfully submitted,
KRAMER LEVIN NAFTALIS & FRANKEL LLP

Dated: July 8, 2019

By: /s/ James Hannah
James Hannah
Attorneys for Plaintiff
FINJAN, INC.

IRELL & MANELLA LLP

Dated: July 8, 2019

By: /s/ Rebecca Carson
Rebecca Carson
Attorneys for Defendant
JUNIPER NETWORKS, INC.

ATTESTATION PURSUANT TO L.R. 5-1(I)

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from any other signatory to this document.

/s/ James Hannah
James Hannah

[PROPOSED] ORDER

Pursuant to the stipulation of the parties, it is hereby ORDERED that:

- The parties need not exchange demonstratives at the same time as the service of expert reports.
- All demonstratives to be used during the direct examination of an expert shall be disclosed to the opposing party no later than 3:00 p.m. the day before the party intends to use the demonstrative.
- All objections to expert demonstratives shall be served by 5:00 p.m. on the day that such demonstrative is disclosed.
- Parties need not disclose demonstratives that they intend to use on the cross-examination of an opposing expert.

PURSUANT TO STIPULATION IT IS SO ORDERED.

Dated: _____

Hon. William H. Alsup
United States District Court Judge