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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FINJAN, INC., a Delaware Corporation,)	Case No. 17-cv-05659-WHA
)	
Plaintiff,)	San Francisco, California
)	Courtroom A, 15th Floor
)	Friday, July 26, 2019
v.)	
)	
JUNIPER NETWORKS, INC., a Delaware Corporation,)	
)	
Defendant.)	

TRANSCRIPT OF TELEPHONIC DISCOVERY HEARING
BEFORE THE HONORABLE THOMAS S. HIXSON
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

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1 SAN FRANCISCO, CALIFORNIA FRIDAY, JULY 26, 2019 2:05 P.M.

2 --oOo--

3 (Call to order of the Court.)

4 THE CLERK: The Judge has taken the bench. We're here
5 in Civil Action 17-5659, Finjan, Inc. v. Juniper Networks, Inc.
6 Counsel, please state your appearances for the record. We'll
7 start with the Plaintiff.

8 MR. ANDRE: Paul Andre for Plaintiff Finjan.

9 MR. GLUCOFT: Josh Glucoft of Irell & Manella for
10 Juniper Networks.

11 MS. CARSON: And Rebecca Carson of Irell & Manella also
12 representing Juniper Networks.

13 THE COURT: Good afternoon, Counsel. I understand that
14 Juniper requested this hearing so, Mr. Glucoft or Ms. Carson, can
15 you please key up the issue for me?

16 MR. GLUCOFT: Yes, Your Honor. Thank you. So it's a
17 pretty simple scheduling issue that we have specifically related
18 to expert depositions. And there's going to be two batches of
19 experts I'd like to address.

20 Just for context, the Court had set the schedule pretty tight
21 and there are summary judgment filings coming up on August 8th.
22 Finjan, we simply need their expert reports, including from two
23 experts -- one, Dr. Medvidovic; another, Dr. Mitzenmacher. Finjan
24 has only made those two experts available well after summary
25 judgment is due; specifically, they're only offering Dr.

1 Medvidovic on August 16th. They're only offering Dr. Mitzenmacher
2 on August 23rd. So the first sort of batch of experts that we
3 would request the Court's help with is to make those experts
4 available for our summary judgment motion on the (indiscernible)
5 is due.

6 THE COURT: Can you back up. For the two experts, can
7 you spell their last names for me.

8 MR. GLUCOFT: Yes. Medvidovic is M as in "Mary" -e-d
9 as in "dog" -v as in "victor" i-d as in "dog" -o-v-i-c,
10 Medvidovic.

11 THE COURT: And he's the one available on August 23rd;
12 is that right?

13 MR. GLUCOFT: Medvidovic is available on August 16th.

14 THE COURT: Okay. I'm sorry. Okay.

15 MR. GLUCOFT: And the other expert is Dr. Mitzenmacher.
16 Again, M as in "Mary" i-t as in "Tom" -e-n as in "Nancy" -m as in
17 "Mary" -a-c as in "cat" -h-e-r, Mitzenmacher.

18 THE COURT: I'm sorry. You completely lost me there.
19 Can you do that again.

20 MR. GLUCOFT: Sure -- M-i-t-z-e-n-m-a-c-h-e-r,
21 Mitzenmacher.

22 THE COURT: Got it. Okay.

23 MR. GLUCOFT: He's the expert that's being offered only
24 on August 23rd, which is not only after opening summary judgment
25 deadlines which is due on August 8th. August 23rd is actually

1 after summary judgment replies are due on August 22nd. So the
2 first batch of experts that we're asking for relief on are Dr.
3 Medvidovic and Dr. Mitzenmacher where we would like to depose them
4 before our summary judgment motion is due, and we believe we have
5 a right to use them.

6 THE COURT: And what's the deadline for expert discovery
7 to close?

8 MR. GLUCOFT: Expert discovery closes on August 23rd.
9 So they're offering Dr. Medvidovic on the last day.

10 THE COURT: Okay. And what's the other request you
11 have?

12 MR. GLUCOFT: So opposition expert reports are due on
13 August 16th. And as it currently stands, Finjan has offered,
14 other than -- so in their opening report, they have five experts
15 that -- excuse me -- six experts. And five of them, all of them
16 except for Dr. Medvidovic -- which they're offering on August 16th
17 -- five of them are being offered in that final week, specifically
18 the week of August 19th through the close of expert discovery on
19 August 23rd. And so -- including four of them which they're
20 suggesting are double-tracked, two on August 20th, two on August
21 22nd. So they're trying to force us to take all five of those
22 expert depositions in that same week, which doesn't even account
23 for the fact that both sides have opposition experts. We will at
24 least have two opposition expert reports coming out on August 16th
25 and presumably Finjan will have additional experts, although we're

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