

1 PAUL J. ANDRE (State Bar No. 196585)
pandre@kramerlevin.com
2 LISA KOBIALKA (State Bar No. 191404)
lkobialka@kramerlevin.com
3 JAMES HANNAH (State Bar No. 237978)
jhannah@kramerlevin.com
4 KRISTOPHER KASTENS (State Bar No. 254797)
5 kkastens@kramerlevin.com
6 KRAMER LEVIN NAFTALIS & FRANKEL LLP
7 990 Marsh Road
8 Menlo Park, CA 94025
9 Telephone: (650) 752-1700
10 Facsimile: (650) 752-1800
11 *Attorneys for Plaintiff*
12 FINJAN, INC.

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

15 FINJAN, INC., a Delaware Corporation,

16 Plaintiff,

17 v.

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

20 Defendant.

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

**DECLARATION OF KRISTOPHER
KASTENS IN SUPPORT OF PLAINTIFF
FINJAN, INC.'S ADMINISTRATIVE
MOTION TO FILE DOCUMENTS UNDER
SEAL**

1 I, Kristopher Kastens, declare:

2 1. I have personal knowledge of the facts stated herein.

3 2. I am licensed to practice law in the State of California and am an attorney at Kramer
4 Levin Naftalis & Frankel LLP, counsel of record for Finjan, Inc. (“Finjan”). I make this declaration in
5 support of Finjan’s Administrative Motion to File Documents Under Seal in connection with its Motion
6 for Leave to File Second Amended Complaint, pursuant to Civil Local Rules 79-5(d)-(e).

7 3. I have reviewed the following documents and confirmed that they are designated as
8 “Highly Confidential – Attorneys’ Eyes Only” or “Highly Confidential – Source Code” by Juniper
9 Networks, Inc. (“Juniper”) pursuant to the stipulated protective order in this litigation. Finjan relies on
10 Juniper’s confidentiality designations.

Identification of Documents to be Sealed	Entity that Designated the Information to be Confidential
Plaintiff Finjan Inc.’s Motion for Leave to File Second Amended Complaint at page 3, lines 17-20; page 6, lines 1, 3	Juniper
Declaration of Kristopher Kastens (“Kastens Decl.”), Ex. 2 (excerpts from deposition transcript of Ms. Yuly Tenorio) in its entirety.	Juniper
Kastens Decl., Ex. 1 (“Second Amended Complaint”) at ¶¶132–136	Juniper
Kastens Decl., Ex. 5 (Redline of Second Amended Complaint) at ¶¶132–136.	Juniper
Exs. 33 and 34 to the Second Amended Complaint	Juniper

11 4. Finjan’s Motion for Leave to File Second Amended Complaint redacted portions at page
12 3, lines 17-20 and page 6, lines 1, 3 concern Juniper’s highly confidential testimony that Juniper has
13 designated as “Highly Confidential – Attorneys’ Eyes Only.” Finjan relies on Juniper’s representations
14 and confidentiality designations that such information is confidential and needs to be sealed.
15

16 5. Exhibits 1, 2, 5 to the Kastens Declaration and Exhibits 33 and 34 to the Second
17 Amended Complaint contain information that Juniper has designated as “Highly Confidential –
18 Attorneys’ Eyes Only” or “Highly Confidential – Source Code.” Finjan relies on Juniper’s
19 representation that such information is confidential and needs to be sealed.
20
21
22
23
24
25
26
27
28

1 I declare under penalty of perjury under the laws of the United States of America that each of the
2 above statements is true and correct. Executed on May 31, 2018, in Menlo Park, California.

3 By: /s/ Kristopher Kastens
4 Kristopher Kastens
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28