

Exhibit J

Caridis, Alyssa

From: Roberts, Clement
Sent: Wednesday, September 4, 2019 1:01 PM
To: Xu, Linda; Caridis, Alyssa; Cheever, Frances; Feeman, Vickie L.; Brewer, Evan
Cc: Hannah, James; Kobialka, Lisa; Andre, Paul; Kastens, Kris; Manes, Austin
Subject: RE: Finjan v. Check Point Depositions

Linda –

I am going to be in NY on Monday but I will check with Vickie about her availability. During the last meeting I believe that Paul and I both agreed that co-lead counsel could do the in-person meet and confers so we could both avoid driving back and forth. Please let me know if you agree with that interpretation of Judge Spero's order.

In the meantime, here is what Judge Orrick said at the hearing two motions to strike ago:

Here is what we're going to do. I'm going to stick with my tentative and have you amend in the best way that you can given the information you have.

Then I want you to meet-and-confer with Mr. Roberts and see whether you can agree on anything that will provide — if Mr. Roberts still claims that the contentions are insufficient, what it is that can happen in order to get over the — this particular hurdle. If you're unsuccessful, then I want you to send -- send me a five page joint letter and append to it the questions that you would like to ask a 30(b)(6) witness. And then -- or the places where you're in disagreement, and I'll decide that.

As you know, we sent you a partial list of issues *before* the latest contentions which (it appears) you have not addressed in the current contentions and we are working through the contentions to catalogue the other issues. We should be in a position to share many of those issues with you by Monday (although given the size of the contentions, it seems doubtful we will be able to have everything by then).

My proposal is for you to review that list. If you think you will be able to fix those issues with specific 30(b)(6) questions for a witness, and you think that Judge Orrick's order still applies you should provide us a list of those specific questions and (to the extent we cannot agree) we should submit a five page joint letter to Judge Orrick appending the questions as he ordered.

It sounds like, however, that what you are saying is *not* that you want to go through the mechanism that Judge Orrick set out but instead to start taking technical depositions generally because you believe the contentions are adequate. If that is where you are then yes, we should do the in person meet and confer Monday because that is not something I think we will generally agree with (although I *am* open to producing non-technical / marketing witnesses now because I can probably prepare them even without adequate contentions). I would ask, however, that you provide some information on which marketing topics you want to take as a 30(b)(6) so that we can designate the witnesses appropriately as to those topics.

Also, I have reviewed Judge Spero's order from your last motion to compel the testimony of Mr. Zegman and I do not know what you are referring to when you say that my position is inconsistent with Judge Spero's order. Can you kindly clarify as to what you see as the inconsistency?

Thanks
Clem

From: Xu, Linda

Sent: Wednesday, September 4, 2019 11:48 AM

To: Roberts, Clement ; Caridis, Alyssa ; Cheever, Frances ; Feeman, Vickie L. ; Brewer, Evan

Cc: Hannah, James ; Kobialka, Lisa ; Andre, Paul ; Kastens, Kris ; Manes, Austin

Subject: RE: Finjan v. Check Point Depositions

Clem,

When are you available on Monday to meet and confer as you previously proposed? We need Check Point's position on whether it will make its witnesses available for deposition on at least the instrumentalities listed in at Dkt. 199 at 8-9. This request needs to be resolved before discussing any next steps. You have represented you will provide your position on Monday. As for our position, we want to take depositions and need to get that addressed. Given your position on the written questions seems to be inconsistent with Judge Spero, we wanted to discuss. We look forward to talking with you then.

Linda

Linda Xu

Associate

Kramer Levin Naftalis & Frankel LLP

990 Marsh Road, Menlo Park, California 94025

T 650.752.1728 F 650.752.1800

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.

From: Roberts, Clement <croberts@orrick.com>

Sent: Tuesday, September 3, 2019 4:28 PM

To: Xu, Linda <LXu@KRAMERLEVIN.com>; Caridis, Alyssa <acaridis@orrick.com>; Cheever, Frances <fccheever@orrick.com>; Feeman, Vickie L. <vfeeman@orrick.com>; Brewer, Evan <ebrewer@orrick.com>

Cc: Hannah, James <JHannah@KRAMERLEVIN.com>; Kobialka, Lisa <LKobialka@KRAMERLEVIN.com>; Andre, Paul <PAndre@KRAMERLEVIN.com>; Kastens, Kris <KKastens@KRAMERLEVIN.com>; Manes, Austin <AManes@KRAMERLEVIN.com>

Subject: [EXTERNAL] RE: Finjan v. Check Point Depositions

Linda –

I haven't taken a position or refused anything. I have asked you for information so that we can have a meaningful meet and confer. When we were in front of Judge Orrick (two motions to strike ago) he said that, if you didn't think you had sufficient information, you could submit written questions after we discussed what information it is that you think you didn't have. It sounds like you want to invoke this process. I am not sure it applies anymore, but to the extent it does, the first step is for you to tell us what information (necessary to articulate infringement theories in conformity with the court's order) you could not understand from the source code and the other materials we have provided. Are you going to simply refuse to share that information?

Thanks,

Clem

From: Xu, Linda <LXu@KRAMERLEVIN.com>
Sent: Tuesday, September 3, 2019 4:16 PM
To: Roberts, Clement <croberts@orrick.com>; Caridis, Alyssa <acaridis@orrick.com>; Cheever, Frances <fcheever@orrick.com>; Feeman, Vickie L. <vfeeman@orrick.com>; Brewer, Evan <ebrewer@orrick.com>
Cc: Hannah, James <JHannah@KRAMERLEVIN.com>; Kobialka, Lisa <LKobialka@KRAMERLEVIN.com>; Andre, Paul <PAudre@KRAMERLEVIN.com>; Kastens, Kris <KKastens@KRAMERLEVIN.com>; Manes, Austin <AManes@KRAMERLEVIN.com>
Subject: RE: Finjan v. Check Point Depositions

Clem,

We agree to a meet and confer on Monday so that the parties can discuss Check Point's position on depositions. It sounds like Check Point is refusing to make any requested witnesses available on any topics, and that Judge Orrick's procedure for written questions was limited to supplementing infringement contentions, although Judge Spero seemed to have a different position.

Provide times that you are available on Monday to discuss this.

Linda

Linda Xu
Associate

Kramer Levin Naftalis & Frankel LLP
990 Marsh Road, Menlo Park, California 94025
T 650.752.1728 F 650.752.1800

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.

From: Roberts, Clement <croberts@orrick.com>
Sent: Tuesday, September 3, 2019 12:54 PM
To: Xu, Linda <LXu@KRAMERLEVIN.com>; Caridis, Alyssa <acaridis@orrick.com>; Cheever, Frances <fcheever@orrick.com>; Feeman, Vickie L. <vfeeman@orrick.com>; Brewer, Evan <ebrewer@orrick.com>
Cc: Hannah, James <JHannah@KRAMERLEVIN.com>; Kobialka, Lisa <LKobialka@KRAMERLEVIN.com>; Andre, Paul <PAudre@KRAMERLEVIN.com>; Kastens, Kris <KKastens@KRAMERLEVIN.com>; Manes, Austin <AManes@KRAMERLEVIN.com>
Subject: [EXTERNAL] RE: Finjan v. Check Point Depositions

Linda –

Are you now taking the position that your contentions are incomplete? Why is it that, up to and through this ***final*** amendment you have not sought such a deposition but, now you want to go bank and use the procedure he provided for you for ***two*** sets ago? If that deposition / those questions were needed to produce adequate contentions, why didn't you ask for it then? What is it you plan to do with the deposition – are you going to attempt to amend yet again?

Clem

From: Xu, Linda <LXu@KRAMERLEVIN.com>
Sent: Tuesday, September 3, 2019 12:00 PM
To: Roberts, Clement <croberts@orrick.com>; Caridis, Alyssa <acaridis@orrick.com>; Cheever, Frances <fcheever@orrick.com>; Feeman, Vickie L. <vfeeman@orrick.com>; Brewer, Evan <ebrewer@orrick.com>
Cc: Hannah, James <JHannah@KRAMERLEVIN.com>; Kobialka, Lisa <LKobialka@KRAMERLEVIN.com>; Andre, Paul <PAndre@KRAMERLEVIN.com>; Kastens, Kris <KKastens@KRAMERLEVIN.com>; Manes, Austin <AManes@KRAMERLEVIN.com>
Subject: RE: Finjan v. Check Point Depositions

Clem,

To confirm, Check Point does not agree to provide any witnesses limited to the instrumentalities that are on the list that Check Point provided as "Accused" at Dkt. 199 at 8-9. If this is the case, Finjan intends to provide a list written questions for these witnesses pursuant to the procedure provided by Judge Orrick. These questions are not in lieu of a deposition, but would be in addition to any future deposition of these witnesses. If this is not your understanding, let us know immediately so we can meet and confer on this topic.

Linda

Linda Xu
Associate

Kramer Levin Naftalis & Frankel LLP
990 Marsh Road, Menlo Park, California 94025
T 650.752.1728 F 650.752.1800

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.

From: Roberts, Clement <croberts@orrick.com>
Sent: Friday, August 30, 2019 5:21 PM
To: Xu, Linda <LXu@KRAMERLEVIN.com>; Caridis, Alyssa <acaridis@orrick.com>; Cheever, Frances <fcheever@orrick.com>; Feeman, Vickie L. <vfeeman@orrick.com>; Brewer, Evan <ebrewer@orrick.com>
Cc: Hannah, James <JHannah@KRAMERLEVIN.com>; Kobialka, Lisa <LKobialka@KRAMERLEVIN.com>; Andre, Paul <PAndre@KRAMERLEVIN.com>; Kastens, Kris <KKastens@KRAMERLEVIN.com>; Manes, Austin <AManes@KRAMERLEVIN.com>
Subject: [EXTERNAL] RE: Finjan v. Check Point Depositions

No. I am saying that I need a bit of time to review your invalidity contentions and figure out what I think about the proper next steps are. I need to decide, for example, what I am going to move to strike, and what (if anything) is adequately specified at this point.

And to be clear, the list of things that we gave you as being "in the case" are the things we think the Court did not (yet) strike with prejudice. That does ***not*** equate to a list of things for which we think your contentions are adequate. You probably understand this, but I wanted to be clear about it.

Thanks,

Clem

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.