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16 *Attorneys for Plaintiff*
 17 FINJAN, INC.

18 **IN THE UNITED STATES DISTRICT COURT**
 19 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 20 **SAN FRANCISCO DIVISION**

21 FINJAN, INC., a Delaware Corporation,

22 Plaintiff,

23 v.

24 CHECK POINT SOFTWARE
 25 TECHNOLOGIES, INC., a Delaware
 26 Corporation; CHECK POINT SOFTWARE
 27 TECHNOLOGIES LTD., an Israeli Limited
 28 Company,

Defendants.

Case No.: 3:18-cv-02621-WHO

**DECLARATION OF AUSTIN MANES IN
 SUPPORT OF PLAINTIFF FINJAN,
 INC.’S REPLY IN SUPPORT OF ITS
 MOTION TO CERTIFY THE COURT’S
 JANUARY 17, 2020, ORDER (DKT. 247)
 FOR INTERLOCUTORY APPEAL, TO
 STAY, AND TO PERMIT LIMITED
 DISCOVERY**

Date: April 22, 2020

Time: 2:00 p.m.

Location: Courtroom 2, 17th Floor

Judge: Hon. William H. Orrick

1 I, Austin Manes, declare:

2 1. I am an attorney with the law firm Kramer Levin Naftalis & Frankel LLP, counsel of
3 record for Finjan, Inc. (“Finjan”). I have personal knowledge of the facts stated herein and can testify
4 competently to those facts. I make this declaration in support of Finjan’s Reply filed in support of its
5 Motion for Interlocutory Appeal (Dkt. 263).

6 2. Attached hereto as Exhibit 1 is a true and correct copy of an email from Evan Brewer,
7 counsel to Defendants, to me, dated March 2, 2020.

8 3. Attached hereto as Exhibit 2 is a true and correct copy of an email from Joseph Gratz,
9 counsel to Defendants, to me, dated March 15, 2019.

10
11 I declare under penalty of perjury under the laws of the United States of America that the
12 foregoing is true and correct. Executed on April 3, 2020 in San Francisco, California.

13
14 /s/ Austin Manes
Austin Manes

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

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

21
22 /s/ Paul J. Andre
Paul J. Andre