

Exhibit F

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE WILLIAM H. ORRICK, JUDGE

FINJAN, INC.,)	
)	
Plaintiff,)	
)	
VS.)	NO. C 18-2621 WHO
)	
CHECK POINT SOFTWARE TECHNOLOGIES,)	
INC., et al.,)	
)	San Francisco, California
Defendants.)	
)	

Wednesday, December 4, 2019

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Plaintiff:

KRAMER LEVIN NAFTALIS & FRANKEL, LLP
990 Marsh Road
Menlo Park, California 94025

**BY: PAUL J. ANDRE, ESQ.
KRISTOPHER B. KASTENS, ESQ.**

For Defendants:

ORRICK HERRINGTON & SUTCLIFFE, LLP
405 Howard Street
San Francisco, California 94105-2669

**BY: CLEMENT S. ROBERTS, ESQ.
EVAN D. BREWER, ESQ**

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Suite 3200

BY: ALYSSA M. CARIDIS, ESQ.

Reported By: **BELLE BALL, CSR 8785, CRR, RDR**
Official Reporter, U.S. District Court

(Appearances continued, next page)

APPEARANCES, CONTINUED:

For Defendants:

ORRICK HERRINGTON & SUTCLIFFE, LLP
1000 Marsh Road
Menlo Park, California 94025

BY: VICKIE L. FEEMAN, ESQ.

Also Present:

JULIA MAR-SPINOLA, Finjan

1 Wednesday - December 4, 2019

2:46 p.m.

2 P R O C E E D I N G S

3 **THE CLERK:** Calling Civil Matter 18-2621, Finjan,
4 Incorporated versus Check Point Software Technologies,
5 Incorporated.

6 Counsel, please come forward and state your appearances.

7 **MR. ANDRE:** Good afternoon, Your Honor. Paul Andre
8 for Finjan. With me today is Kris Kastens. And from Finjan,
9 Julia Mar-Spinola is sitting back there.

10 **MR. ROBERTS:** Good afternoon, Your Honor. Clem
11 Roberts from Orrick Herrington for the defendant. And we have
12 Alyssa Caridis, Vickie Feeman, and Evan Brewer.

13 **THE COURT:** So I've put up here five bankers' boxes
14 full of stuff that you filed.

15 How on earth do you think that a federal judge is going to
16 go through all of the paper? 5,135 charts? 185,000 pages?
17 What do you want me to do with all of this? This is nuts.
18 This is totally beyond the pale.

19 Your job is to make your clients' cases clear. And
20 digestible for people. I couldn't spend a month going through
21 this, and do nothing else, and understand a minute of what
22 you're trying to do. It's crazy.

23 And you're not -- nobody in this case is helping
24 themselves or their clients, particularly, in the way that this
25 is going out. It's really not.

1 So what do you want me to do with this, Mr. Andre? What's
2 the point of throwing all of this stuff at me?

3 Everything that I looked at as I went -- as I tried to
4 drill down on the few examples that are in the briefing --
5 because there can't be a lot of them, because there are 185,000
6 pages in the charts. But every one of them didn't check out,
7 as far as I could tell, for your client.

8 But I have a whole lot more that I have to do. And I
9 didn't get a ton of help on the other side, because there are
10 limitations in pages.

11 So what am I supposed to do with this?

12 **MR. ANDRE:** Your Honor, I think -- first of all, I
13 apologize. It was not our intent for the Court to receive --

14 **THE COURT:** Well, who else is going to get it,
15 Mr. Andre?

16 **MR. ANDRE:** We served the charts on the defendant,
17 because that's what they asked for. We asked them on numerous
18 occasions: Can we group the charts? And they moved twice to
19 say we could not group. And we had to have every single
20 different product, and every single SKU, every version charted
21 to try to avoid the grouping issue.

22 When I got Your Honor's second order striking some of the
23 contentions, and giving us clear instructions as to what to do,
24 we took it to heart. And we talked to counsel (Indicating).
25 We said: Is there any way we can group these charts to make it

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