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QUALYS INC.

18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **OAKLAND DIVISION**

21 FINJAN, INC.,  
22 Plaintiff,  
23 v.  
24 QUALYS INC.,  
25 Defendant.

Case No.: 4:18-cv-07229-YGR

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND DEADLINES**

Date Complaint Filed: November 29, 2018

Trial Date: None Set

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Finjan, Inc. (“Finjan”) and Defendant  
2 Qualys Inc. (“Qualys”) (collectively, “the Parties”), hereby jointly stipulate and respectfully request  
3 that the Court amend the case schedule.  
4

5 In support of these stipulated requests, the Parties jointly state as follows:

6 WHEREAS, the COVID-19 pandemic has impacted the daily business operations of both  
7 parties and their respective counsel;

8 WHEREAS, in light of the COVID-19 pandemic, the parties have conferred and agreed that,  
9 subject to the Court’s approval, the case schedule should be amended as set forth below in order to  
10 account for the uncertainties surrounding the pandemic and to provide for the orderly conclusion of  
11 fact discovery;  
12

13 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among counsel  
14 for Finjan and Qualys that the deadlines set forth below be amended as follows:  
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Event	Previous Date	Agreed Proposed Date/Deadline
Close of fact discovery	2 months after the claim construction order (August 11, 2020)	October 1, 2020
Opening expert reports	2 months after the close of fact discovery	No change (December 1, 2020)
Rebuttal expert reports	6 weeks after service of opening expert reports	No change (January 12, 2021)
Close of expert discovery	1 month after the service of rebuttal expert reports	No change (February 12, 2021)
Last day for a pre-filing conference on summary judgment motions	three weeks after the close of expert discovery	No change (March 5, 2021)
Plaintiff's opening summary judgment briefs	three weeks after the pre-filing conference on summary judgment motions	No change
Defendant's opposition summary judgment briefs and cross motion for summary judgment	three weeks after Plaintiff's opening summary judgment brief	No change
Plaintiff's reply summary judgment briefs and opposition to Defendant's cross motion for summary judgment	three weeks after Defendant's opposition summary judgment brief	No change
Defendant's reply for its cross motion for summary judgment	three weeks after Plaintiff's opposition summary judgment brief	No change
Summary judgment hearing	Subject to the Court's availability	No change <sup>1</sup>
Final Pretrial Conference	Subject to the Court's availability	No change <sup>2</sup>

<sup>1</sup> Finjan proposes the Summary Judgment Hearing be scheduled for June 29, 2021 (if a hearing is necessary), subject to the Court's availability. Qualys is of the view that scheduling a hearing at this juncture is premature at least until the Court holds its post-claim construction CMC. *See* Standing Order for Patent Cases, ¶ 4.

<sup>2</sup> Finjan proposes the Final Pretrial Conference be scheduled for July 30, 2021 at 9:00 a.m., subject to the Court's availability. Qualys is of the view that scheduling a final pretrial conference at this juncture is premature. Further, in Qualys' view, scheduling the pretrial conference within 4 weeks of

Event	Previous Date	Agreed Proposed Date/Deadline
Trial	Subject to the Court's availability	No change <sup>3</sup>

5 DATED: June 25, 2020

6 By: /s/ Kristopher Kastens

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15 Attorneys for Plaintiff  
 16 FINJAN, INC.

17 DATED: June 25, 2020

18 By: /s/ Ryan Smith

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27 Attorneys for Defendant  
 QUALYS INC.

the summary judgment hearing would not afford sufficient time to account for the Court's summary judgment order.

<sup>3</sup> Finjan proposes Trial be scheduled to begin August 16, 2021 at 8:00 a.m., subject to the Court's availability. Qualys disagrees for the same reasons as expressed above.

**ATTESTATION**

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

/s/ Kristopher Kastens  
Kristopher Kastens

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