

# EXHIBIT E

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**From:** Smith, Ryan <rsmith@wsgr.com>  
**Sent:** Thursday, November 5, 2020 5:11 PM  
**To:** Ryan O'Connor  
**Cc:** Donna L. Rousseau; Megan O'Meara; WSGR - Qualys/Finjan; Tong, Christina; Jason Wolff; Tiffany Johnson  
**Subject:** Re: Finjan/Qualys: inspection computer / corrupted file

Ryan,

You have our consent. Thanks.

Ryan

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**From:** Ryan O'Connor <OConnor@fr.com>  
**Date:** Thursday, November 5, 2020 at 4:56 PM  
**To:** "Smith, Ryan" <rsmith@wsgr.com>  
**Cc:** "Donna L. Rousseau" <Rousseau@fr.com>, Megan O'Meara <omeara@fr.com>, WSGR - Qualys/Finjan <qualys/finjan@wsgr.com>, "Tong, Christina" <ctong@wsgr.com>, Jason Wolff <wolff@fr.com>, Tiffany Johnson <trjohnson@fr.com>  
**Subject:** RE: Finjan/Qualys: inspection computer / corrupted file

[External]

Ryan,

Attached for your review please find an updated version of the letter brief with Qualys's section added and a few minor edits to Finjan's section. Please confirm that we have Qualys's permission to file.

Best regards,

**Ryan P. O'Connor** | Fish & Richardson P.C.  
858 678 4358 | [oconnor@fr.com](mailto:roconnor@fr.com)

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**From:** Smith, Ryan <rsmith@wsgr.com>  
**Sent:** Thursday, November 05, 2020 3:58 PM  
**To:** Ryan O'Connor <OConnor@fr.com>  
**Cc:** Donna L. Rousseau <Rousseau@fr.com>; Megan O'Meara <omeara@fr.com>; WSGR - Qualys/Finjan <qualys/finjan@wsgr.com>; Tong, Christina <ctong@wsgr.com>; Jason Wolff <wolff@fr.com>; Tiffany Johnson <trjohnson@fr.com>  
**Subject:** Re: Finjan/Qualys: inspection computer / corrupted file

Ryan,

Please see an updated version of the letter brief with Qualys's section added. Please note that I made redline edits to the cover letter. In particular, I didn't feel that the second paragraph was necessary. Please note that we included two exhibits (attached). Neither is confidential.

Thank you,

Ryan

Ryan R. Smith | Wilson Sonsini | [650 Page Mill Road, Palo Alto, CA 94304](https://www.wilsonsonsinipaloalto.com) | Direct: [650.849.3345](tel:650.849.3345) | Cell: [650.269.0822](tel:650.269.0822) |  
Email: [rsmith@wsgr.com](mailto:rsmith@wsgr.com)

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**From:** Ryan O'Connor <[OConnor@fr.com](mailto:OConnor@fr.com)>  
**Date:** Thursday, November 5, 2020 at 3:27 PM  
**To:** "Smith, Ryan" <[rsmith@wsgr.com](mailto:rsmith@wsgr.com)>  
**Cc:** "Donna L. Rousseau" <[Rousseau@fr.com](mailto:Rousseau@fr.com)>, Megan O'Meara <[omeara@fr.com](mailto:omeara@fr.com)>, WSGR - Qualys/Finjan <[qualys/finjan@wsgr.com](mailto:qualys/finjan@wsgr.com)>, "Tong, Christina" <[ctong@wsgr.com](mailto:ctong@wsgr.com)>, Jason Wolff <[wolff@fr.com](mailto:wolff@fr.com)>, Tiffany Johnson <[trjohnson@fr.com](mailto:trjohnson@fr.com)>  
**Subject:** RE: Finjan/Qualys: inspection computer / corrupted file

[External]

Ryan,

Please provide Qualys's portion of the joint discovery letter no later than 4 pm PT so that we can file it by 5 pm PT.

Best regards,

**Ryan P. O'Connor** | Fish & Richardson P.C.  
858 678 4358 | [oconnor@fr.com](mailto:oconnor@fr.com)

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**From:** Ryan O'Connor  
**Sent:** Wednesday, November 04, 2020 6:23 PM  
**To:** 'Smith, Ryan' <[rsmith@wsgr.com](mailto:rsmith@wsgr.com)>  
**Cc:** Donna L. Rousseau <[Rousseau@fr.com](mailto:Rousseau@fr.com)>; Megan O'Meara <[omeara@fr.com](mailto:omeara@fr.com)>; 'WSGR - Qualys/Finjan' <[qualys/finjan@wsgr.com](mailto:qualys/finjan@wsgr.com)>; 'Tong, Christina' <[ctong@wsgr.com](mailto:ctong@wsgr.com)>; Jason Wolff <[wolff@fr.com](mailto:wolff@fr.com)>  
**Subject:** RE: Finjan/Qualys: inspection computer / corrupted file

Ryan

Attached please find a draft of the joint discovery letter containing Finjan's position.

Best regards,

**Ryan P. O'Connor** | Fish & Richardson P.C.  
858 678 4358 | [oconnor@fr.com](mailto:oconnor@fr.com)

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**From:** Ryan O'Connor  
**Sent:** Monday, November 02, 2020 11:07 AM  
**To:** 'Smith, Ryan' <[rsmith@wsgr.com](mailto:rsmith@wsgr.com)>  
**Cc:** Donna L. Rousseau <[Rousseau@fr.com](mailto:Rousseau@fr.com)>; Megan O'Meara <[omeara@fr.com](mailto:omeara@fr.com)>; 'WSGR - Qualys/Finjan'

<[qualys/finjan@wsgr.com](mailto:qualys/finjan@wsgr.com)>; 'Tong, Christina' <[ctong@wsgr.com](mailto:ctong@wsgr.com)>; Jason Wolff <[wolff@fr.com](mailto:wolff@fr.com)>

**Subject:** RE: Finjan/Qualys: inspection computer / corrupted file

Ryan,

We'd like to contact Judge Hixson's courtroom deputy today to arrange a teleconference regarding this dispute, which we believe is straightforward and can be resolved without the need for briefing. See Judge Hixson's Discovery Standing Order, Option 1. Can you please let us know when you are available this afternoon and tomorrow for the teleconference?

Best regards,

**Ryan P. O'Connor** | Fish & Richardson P.C.

858 678 4358 | [oconnor@fr.com](mailto:oconnor@fr.com)

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**From:** Ryan O'Connor

**Sent:** Thursday, October 29, 2020 2:51 PM

**To:** 'Smith, Ryan' <[rsmith@wsgr.com](mailto:rsmith@wsgr.com)>

**Cc:** Donna L. Rousseau <[Rousseau@fr.com](mailto:Rousseau@fr.com)>; Megan O'Meara <[omeara@fr.com](mailto:omeara@fr.com)>; 'WSGR - Qualys/Finjan'

<[qualys/finjan@wsgr.com](mailto:qualys/finjan@wsgr.com)>; 'Tong, Christina' <[ctong@wsgr.com](mailto:ctong@wsgr.com)>; Jason Wolff <[wolff@fr.com](mailto:wolff@fr.com)>

**Subject:** RE: Finjan/Qualys: inspection computer / corrupted file

Please use this version instead.

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**From:** Ryan O'Connor

**Sent:** Thursday, October 29, 2020 2:06 PM

**To:** 'Smith, Ryan' <[rsmith@wsgr.com](mailto:rsmith@wsgr.com)>

**Cc:** Donna L. Rousseau <[Rousseau@fr.com](mailto:Rousseau@fr.com)>; Megan O'Meara <[omeara@fr.com](mailto:omeara@fr.com)>; WSGR - Qualys/Finjan

<[qualys/finjan@wsgr.com](mailto:qualys/finjan@wsgr.com)>; Tong, Christina <[ctong@wsgr.com](mailto:ctong@wsgr.com)>; Jason Wolff <[wolff@fr.com](mailto:wolff@fr.com)>

**Subject:** RE: Finjan/Qualys: inspection computer / corrupted file

Ryan,

Thank you for the meet and confer earlier today. Attached please find a revised draft of the joint discovery statement containing Finjan's position. I understand Qualys will try to provide a draft of the joint discovery statement with its position by COB tomorrow (10/30).

Best regards,

**Ryan P. O'Connor** | Fish & Richardson P.C.

858 678 4358 | [oconnor@fr.com](mailto:oconnor@fr.com)

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**From:** Smith, Ryan <[rsmith@wsgr.com](mailto:rsmith@wsgr.com)>

**Sent:** Wednesday, October 28, 2020 2:39 PM

**To:** Ryan O'Connor <[OConnor@fr.com](mailto:OConnor@fr.com)>

**Cc:** Donna L. Rousseau <[Rousseau@fr.com](mailto:Rousseau@fr.com)>; Megan O'Meara <[omeara@fr.com](mailto:omeara@fr.com)>; WSGR - Qualys/Finjan

<[qualys/finjan@wsgr.com](mailto:qualys/finjan@wsgr.com)>; Tong, Christina <[ctong@wsgr.com](mailto:ctong@wsgr.com)>; Jason Wolff <[wolff@fr.com](mailto:wolff@fr.com)>

**Subject:** Re: Finjan/Qualys: inspection computer / corrupted file

Ryan,

This is a first for me: A party is moving to compel, but won't tell the other side which request(s) are subject to the motion? I cannot see how our meet and confer will be productive. However, I'm available the rest of today and tomorrow after 11am. Feel free to pick a time.

Thank you,

Ryan

Ryan R. Smith | Wilson Sonsini | [650 Page Mill Road, Palo Alto, CA 94304](https://www.wilsonsonsinipaloalto.com) | Direct: [650.849.3345](tel:650.849.3345) | Cell: [650.269.0822](tel:650.269.0822) | Email: [rsmith@wsgr.com](mailto:rsmith@wsgr.com)

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**From:** Ryan O'Connor <[OConnor@fr.com](mailto:OConnor@fr.com)>  
**Date:** Wednesday, October 28, 2020 at 2:17 PM  
**To:** "Smith, Ryan" <[rsmith@wsgr.com](mailto:rsmith@wsgr.com)>  
**Cc:** "Donna L. Rousseau" <[Rousseau@fr.com](mailto:Rousseau@fr.com)>, Megan O'Meara <[omeara@fr.com](mailto:omeara@fr.com)>, WSGR - Qualys/Finjan <[qualys/finjan@wsgr.com](mailto:qualys/finjan@wsgr.com)>, "Tong, Christina" <[ctong@wsgr.com](mailto:ctong@wsgr.com)>, Jason Wolff <[wolff@fr.com](mailto:wolff@fr.com)>  
**Subject:** RE: Finjan/Qualys: inspection computer / corrupted file

[External]

Ryan,

Attached for your review please find a draft of Finjan's letter brief requesting an order compelling Qualys to provide access to its source code review computer. If Qualys does not identify when it is available this week for a meet and confer, then Finjan will file its letter brief on Friday (10/30).

Best regards,

**Ryan P. O'Connor** | Principal | Fish & Richardson P.C.  
858 678 4358 | [oconnor@fr.com](mailto:roconnor@fr.com)

---

**From:** Smith, Ryan <[rsmith@wsgr.com](mailto:rsmith@wsgr.com)>  
**Sent:** Tuesday, October 27, 2020 4:54 PM  
**To:** Ryan O'Connor <[OConnor@fr.com](mailto:OConnor@fr.com)>  
**Cc:** Donna L. Rousseau <[Rousseau@fr.com](mailto:Rousseau@fr.com)>; Megan O'Meara <[omeara@fr.com](mailto:omeara@fr.com)>; WSGR - Qualys/Finjan <[qualys/finjan@wsgr.com](mailto:qualys/finjan@wsgr.com)>; Tong, Christina <[ctong@wsgr.com](mailto:ctong@wsgr.com)>; Jason Wolff <[wolff@fr.com](mailto:wolff@fr.com)>  
**Subject:** Re: Finjan/Qualys: inspection computer / corrupted file

Ryan,

In order to have a productive meet and confer, we need to know at least the following: Which discovery requests do you intend to move on? Which accused product does your expert want to inspect? Why does your expert require a new inspection given that the code was available between August 8, 2019 and October 1, 2020?

If Finjan is refusing to provide this basic information, then it is clear that Finjan isn't even attempting to meet and confer in good-faith. Regardless, I would be willing to meet and confer.

Best regards,

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