

1 PAUL ANDRE (State Bar No. 196585)
 pandre@kramerlevin.com
 2 LISA KOBIALKA (State Bar No. 191404)
 lkobialka@kramerlevin.com
 3 JAMES HANNAH (State Bar No. 237978)
 jhannah@kramerlevin.com
 4 KRISTOPHER KASTENS (State Bar No. 254797)
 kkastens@kramerlevin.com
 5 HANNAH LEE (State Bar No. 253197)
 hlee@kramerlevin.com
 6 **KRAMER LEVIN NAFTALIS &
 FRANKEL LLP**
 7 990 Marsh Road
 Menlo Park, CA 94025
 8 Telephone: (650) 752-1700
 Facsimile: (650) 752-1800

DUANE MORRIS LLP
 D. Stuart Bartow (SBN 233107)
 Email: DSBartow@duanemorris.com
 Nicole E. Grigg (SBN 307733)
 Email: NEGrigg@duanemorris.com
 2475 Hanover Street
 Palo Alto, CA 94304-1194
 Tel.: 650.847.4150
 Fax: 650.847.4151

Attorneys for Defendant
 SONICWALL INC.

(Complete list of counsel for Defendant on
 signature page)

9 *Attorneys for Plaintiff*
 10 FINJAN, INC.

11
 12
 13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN JOSE DIVISION**

16 FINJAN, INC., a Delaware Corporation,
 17 Plaintiff,
 18 vs.
 19 SONICWALL, INC., a Delaware Corporation,
 20 Defendant.

Case No. 5:17-cv-04467-BLF-HRL

**STIPULATION REGARDING PRIOR
 DEPOSITIONS**

21
 22
 23
 24
 25
 26
 27
 28

1 Plaintiff Finjan, Inc. (“Finjan”) and Defendant SonicWall, Inc. (“SonicWall”) (collectively,
2 “the Parties”), hereby jointly present the following stipulation:

3 WHEREAS, Finjan has filed suit in the Northern District of California against SonicWall,
4 captioned as *Finjan, Inc. v. SonicWall, Inc.*, 5:17-cv-04467 (N.D. Cal.) (the “SonicWall Case”);

5 WHEREAS Finjan has also filed suit in the Northern District of California against Cisco
6 Systems, Inc. (“Cisco”), captioned as *Finjan, Inc. v. Cisco Systems, Inc.*, 5:17-cv-00072-BLF (N.D.
7 Cal.) (the “Cisco Case”); and

8 WHEREAS, the Parties have identified certain witnesses as having information that may be
9 relevant to the SonicWall Case, which witnesses were previously deposed in the Cisco Case. These
10 witnesses are Asher Polani, Shlomo Touboul, David Kroll, Yuval Ben-Itzhak, David Gruzman, and
11 Daniel Chinn (the “Cisco Case Deponents”).

12 The Parties do hereby stipulate and agree as follows:

- 13 1. The video and written deposition transcripts of the Cisco Case Deponents shall be permitted
14 to be used in the SonicWall Case to the same extent as if those depositions had been taken in
15 the SonicWall Case, for all purposes permitted under the Federal Rules of Civil Procedure,
16 and subject to any objection by either party other than an objection that these depositions
17 were not taken in the SonicWall Case; and
 - 18 2. SonicWall and Finjan may not again depose any of the Cisco Case Deponents in the
19 SonicWall Case.
- 20
21
22
23
24
25
26
27
28

1 Respectfully submitted,

Respectfully submitted,

2
3 By: /s/ Paul Andre
4 Paul Andre (SBN 196585)
5 pandre@kramerlevin.com
6 Lisa Kobialka (SBN 191404)
7 lkobialka@kramerlevin.com
8 James Hannah (SBN 237978)
9 jhannah@kramerlevin.com
10 Hannah Lee (SBN 253197)
11 hlee@kramerlevin.com

12 **KRAMER LEVIN NAFTALIS &
13 FRANKEL LLP**
14 990 Marsh Road
15 Menlo Park, CA 94025
16 Telephone: (650) 752-1700
17 Facsimile: (650) 752-1800

18 Attorneys for Plaintiff
19 FINJAN, INC.

By: /s/ Nicole E. Grigg
Matthew C. Gaudet (Admitted *Pro Hac Vice*)
mcgaudet@duanemorris.com
David C. Dotson (Admitted *Pro Hac Vice*)
dcdotson@duanemorris.com
Jennifer H. Forte (Admitted *Pro Hac Vice*)
jhforte@duanemorris.com

DUANE MORRIS LLP
1075 Peachtree NE, Suite 2000
Atlanta, GA 30309-3929
Telephone: 404.253.6900

D. Stuart Bartow (SBN 233107)
Email: DSBartow@duanemorris.com
Nicole E. Grigg (SBN 307733)
Email: NEGrigg@duanemorris.com

DUANE MORRIS LLP
2475 Hanover Street
Palo Alto, CA 94304-1194
Tel.: 650.847.4150
Fax: 650.847.4151

Joseph A. Powers (Admitted *Pro Hac Vice*)
Email: japowers@duanemorris.com
Jarrad M. Gunther (Admitted *Pro Hac Vice*)
Email: jmgunther@duanemorris.com
DUANE MORRIS LLP
30 South 17th Street
Philadelphia, PA 19103
Telephone: 215.979.1000

Counsel for Defendant
SONICWALL, INC.

22 Dated: February 19, 2020
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTESTATION

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

Dated: February 19, 2020

/s/ Nicole E. Grigg