

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**



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  
Paul Andre (SBN 196585)  
4 pandre@kramerlevin.com  
Lisa Kobialka (SBN 191404)  
5 lkobialka@kramerlevin.com  
James Hannah (SBN 237978)  
6 jhannah@kramerlevin.com  
Hannah Lee (SBN 253197)  
7 hlee@kramerlevin.com

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

8 **KRAMER LEVIN NAFTALIS &  
FRANKEL LLP**  
9 990 Marsh Road  
Menlo Park, CA 94025  
10 Telephone: (650) 752-1700  
Facsimile: (650) 752-1800

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

11 Attorneys for Plaintiff  
12 FINJAN, INC.

D. Stuart Bartow (SBN 233107)  
Email: DSBarrow@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

15 Joseph A. Powers (Admitted *Pro Hac Vice*)  
16 Email: japowers@duanemorris.com  
Jarrad M. Gunther (Admitted *Pro Hac Vice*)  
17 Email: jmgunther@duanemorris.com

**DUANE MORRIS LLP**  
30 South 17th Street  
Philadelphia, PA 19103  
Telephone: 215.979.1000

20 Counsel for Defendant  
21 SONICWALL, INC.

22 Dated: February 19, 2020  
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

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