

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

DUANE MORRIS LLP
Joseph A. Powers (PA SBN 84590)
Admitted *Pro Hac Vice*
japowers@duanemorris.com
Jarrad M. Gunther (PA SBN 207038)
Admitted *Pro Hac Vice*
jmgunther@duanemorris.com
30 South 17th Street
Philadelphia, PA 19103
Telephone: 215.979.1000
Facsimile: 215.979.1020

Attorneys for Defendant
SONICWALL INC.

DUANE MORRIS LLP
Matthew C. Gaudet (GA SBN 287759)
Admitted *Pro Hac Vice*
mcgaudet@duanemorris.com
Robin L. McGrath (GA SBN 493115)
Admitted *Pro Hac Vice*
rlmcgrath@duanemorris.com
David C. Dotson (GA SBN 138040)
Admitted *Pro Hac Vice*
dcdotson@duanemorris.com
Jennifer H. Forte (GA SBN 940650)
Admitted *Pro Hac Vice*
jhforte@duanemorris.com
1075 Peachtree Street, Ste. 2000
Atlanta, GA 30309
Telephone: 404.253.6900
Facsimile: 404.253.6901

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FINJAN, INC., a Delaware Corporation,

Plaintiff,

vs.

SONICWALL INC., a Delaware Corporation

Defendant.

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

DECLARATION OF JENNIFER H. FORTE IN SUPPORT OF SONICWALL, INC.'S ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL

1 I, Jennifer H. Forte, declare as follows:

2 1. I am an associate at the law firm of Duane Morris LLP and am counsel for Defendant
3 SonicWall Inc. (“SonicWall”). I have personal knowledge of the matters set forth in this
4 Declaration, and if called as a witness, could and would testify competently to such facts under oath.
5 I submit this Declaration in Support of SonicWall’s Administrative Motion to File Documents Under
6 Seal, pursuant to Civil Local Rule 79-5(d)-(e). In making this Declaration, it is not my intention,
7 nor the intention of SonicWall, to waive the attorney-client privilege, the attorney work-product
8 immunity, or any other applicable privilege.
9

10 2. I have reviewed the following documents and confirmed that they consist of or quote
11 directly from documents or testimony designated by the parties in *Finjan, Inc. v. Cisco Systems, Inc.*,
12 *No. 5:17-cv-00072-BLF-SVK* as “Highly Confidential – Attorneys’ Eyes Only” pursuant to the
13 Stipulated Protective Order.
14

Exhibit No.	Document Title	Portion(s) to Seal	Reason(s) for Sealing
Ex. 1	Cisco Systems, Inc. Mutual Non-Disclosure Agreement dated January 19, 2004	Entire Document	The parties in <i>Finjan, Inc. v. Cisco Systems, Inc., No. 5:17-cv-00072-BLF-SVK</i> designated this document as “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Stipulated Protective Order. See Declaration of Jennifer Forte in Support of Administrative Motion to File Documents Under Seal (“Forte Declaration”), ¶¶ 2-4.

1 2 3 4 5 6	Ex. 2	Finjan Software Inc. Amended and Restated Investors' Rights Agreement dated June 2, 2004	Entire Document	The parties in <i>Finjan, Inc. v. Cisco Systems, Inc.</i> , No. 5:17-cv-00072-BLF-SVK designated this document as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order. See Forte Declaration, ¶¶ 2-4.
7 8 9 10 11 12	Ex. 3	Cisco – Finjan Holdings, Inc. Mutual Non-Disclosure Agreement dated March 21, 2014	Entire Document	The parties in <i>Finjan, Inc. v. Cisco Systems, Inc.</i> , No. 5:17-cv-00072-BLF-SVK designated this document as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order. See Forte Declaration, ¶¶ 2-4.
13 14 15 16 17 18	Ex. 4	Excerpts from the February 1, 2019 Deposition of Yoav Samet	Entire Document	The parties in <i>Finjan, Inc. v. Cisco Systems, Inc.</i> , No. 5:17-cv-00072-BLF-SVK designated this document as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order. See Forte Declaration, ¶¶ 2-4.
19 20 21 22 23 24 25 26 27 28	Ex. 5	Excerpts from the April 10, 2019 Deposition of Daniel Chinn	Entire Document	The parties in <i>Finjan, Inc. v. Cisco Systems, Inc.</i> , No. 5:17-cv-00072-BLF-SVK designated this document as "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order. See Forte Declaration, ¶¶ 2-4.

Ex. 6	Exhibit 34 to the April 10, 2019 deposition of Daniel Chinn	Entire Document	The parties in <i>Finjan, Inc. v. Cisco Systems, Inc.</i> , No. 5:17-cv-00072-BLF-SVK designated this document as “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Stipulated Protective Order. See Forte Declaration, ¶¶ 2-4.
-------	---	-----------------	--

3. Good cause exists to seal the portions of the documents identified in the chart above for the reasons stated therein. SonicWall seeks to seal only those portions of the documents that contain “sealable,” as defined in Civil Local Rule 79-5(d), and for which it has good cause to seal.

4. This information has been designated by the parties in *Finjan, Inc. v. Cisco Systems, Inc.*, No. 5:17-cv-00072-BLF-SVK as “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Stipulated Protective Order. Accordingly, I am informed and believe that, this confidential information relates to Finjan’s business and, if disclosed publicly, could result in harm to Finjan.

I declare under penalty of perjury under the laws of California and the United States that the foregoing is true and correct. Executed on May 4, 2020, in Atlanta, Georgia.

/s/ Jennifer H. Forte
Jennifer H. Forte