

## APPENDIX D

# Finan's Discovery Responses (excluding Deposition Designations) and Objections Thereeto

**PLAINTIFF FINJAN LLC'S DESIGNATION OF  
DISCOVERY RESPONSES**

United States District Court  
For the Northern District of California  
San Jose

*Finjan LLC v. SonicWall, Inc.*

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

Trial Date: May 3, 2021

Plaintiff Finjan LLC ("Finjan") identifies the following discovery responses it may use at trial. Finjan reserves the right to supplement, revise, correct, clarify, or otherwise amend this list to the extent permitted by the Court's orders and other applicable rules, including in the events of case developments, court rulings, or in response to SonicWall's disclosures or arguments and evidence at trial. These designations are made based on information that is reasonably available to Finjan at this time

**Defendant SonicWall, Inc.'s Key of Objections**

SonicWall reserves all rights, including its right to amend, modify, or supplement its objections to Finjan's designation of discovery responses as trial preparation and trial progresses. SonicWall further reserves the right to further object to any discovery responses to the extent they should be excluded or limited by any agreement of the parties (either prior to or during this litigation) or any ruling of the Court, either already issued or forthcoming, e.g., the Court's rulings on SonicWall's motion for summary judgment or motions *in limine*. SonicWall further reserves the right to object to the relevance of any of Finjan's designations of discovery responses, depending on the context surrounding Finjan's proposed use or sponsoring witness of the responses. Additionally, SonicWall objects to the extent a discovery response is admitted, it may be subject to an appropriate limiting instruction. SonicWall provides the codes below for its objections.

<u>Abbreviation</u>	<u>Objection</u>
106	Incomplete document
401, 402	Irrelevant
403	Unfair prejudice, confusing, waste of time
408	Settlement Discussions
H	Hearsay
A	Authentication
BE	Fails to satisfy best evidence rule
EXCL	Excluded by court order, parties' stipulation, or parties' NDA
IE	Improper exhibit
INCL	Incomplete response designated and/or response later amended and/or supplemented
MIL	Subject to potential motion in limine
MTN	Subject to pending motion (Mtn to strike)

**Plaintiff Finjan LLC's Responses to Defendant SonicWall, Inc.'s Objections to  
Finjan's Designations of Discovery Responses**

For those discovery responses to which SonicWall objects to as EXCL, Finjan responds that SonicWall fails to explain what court order, stipulation, or NDA are relevant. Finjan denies that the Court's orders, parties' stipulations, or an NDA preclude these discovery responses. For those discovery responses to which SonicWall objects to MTN, Finjan responds that SonicWall fails to explain what Daubert motion or motions to strike preclude these discovery responses.

For all other objections, Finjan provides the following codes for its responses.

COM	Complete
REL	Relevant, not unfairly prejudicial, confusing or a waste of time
BEST	Best evidence
PROP	Proper
NH	Not hearsay

**FINJAN'S DESIGNATION OF SONICWALL'S RESPONSES TO INTERROGATORIES**

<b>Interrogatory Responses</b>	<b>Finjan's Designated Portion</b>	<b>Date</b>	<b>SonicWall's Objections</b>	<b>Finjan's Responses</b>
DEFENDANT SONICWALL INC.'S RESPONSE TO FINJAN, INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-9)	Interrogatory No. 1 and SonicWall's Response Thereto	May 14, 2018	408, EXCL, INCL	COM
DEFENDANT SONICWALL INC.'S RESPONSE TO FINJAN, INC.'S FIRST SET OF INTERROGATORIES (NOS. 1-9)	Interrogatory No. 5 and SonicWall's Response Thereto	May 14, 2018	401, 402, 403, INCL	REL, COM
DEFENDANT SONICWALL INC.'S SUPPLEMENTAL RESPONSE TO FINJAN, INC.'S FIRST SET OF INTERROGATORIES (NOS. 1, 2, 3, 4 and 7)	Interrogatory No. 1 and SonicWall's Responses Thereto	November 5, 2019	408, EXCL, INCL	COM
DEFENDANT SONICWALL INC.'S SUPPLEMENTAL RESPONSE TO FINJAN, INC.'S FIRST SET OF INTERROGATORIES (NOS. 1, 2, 3, 4 and 7)	Interrogatory No. 2 and SonicWall's Responses Thereto	November 5, 2019	401, 402, 403	REL
DEFENDANT SONICWALL INC.'S SUPPLEMENTAL RESPONSE TO FINJAN, INC.'S FIRST SET OF INTERROGATORIES (NOS. 1, 2, 3, 4 and 7)	Interrogatory No. 3 and SonicWall's Responses Thereto	November 5, 2019	401, 402, 403, INCL	REL, COM
DEFENDANT SONICWALL INC.'S RESPONSE TO FINJAN, INC.'S SECOND SET OF INTERROGATORIES TO SONICWALL, INC. (NOS. 10-13)	Interrogatory No. 10 and SonicWall's Response Thereto	November 25, 2019	401, 402, 403	REL

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