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10 ESET, LLC and ESET, SPOL. S.R.O.

11 **UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 FINJAN, INC.,

14 Plaintiff,

15 v.

16 ESET, LLC, et al.,

17 Defendants.

Case No. 3:17-cv-0183-CAB-BGS

**ESET, LLC AND ESET, SPOL. S.R.O.'S
NOTICE OF MOTION AND MOTION
TO EXCLUDE PLAINTIFF'S EXPERT
DR. RICARDO VALERDI**

Judge: Hon. Cathy Ann Bencivengo

19 AND RELATED COUNTERCLAIMS.

PER CHAMBERS RULES, NO ORAL
ARGUMENT UNLESS SEPARATELY
ORDERED BY THE COURT

1 **TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF**
2 **RECORD:**

3 **PLEASE TAKE NOTICE** that, if ordered by the Court, on a date to be
4 determined by the Court, or as otherwise ordered, the parties may be heard in Courtroom
5 4C of the United States District Court for the Southern District of California, located at
6 221 West Broadway, San Diego, CA 92101, before the Honorable Cathy A. Bencivengo,
7 where Defendants and Counter-Plaintiffs ESET, LLC and ESET, spol. s.r.o. (collectively
8 referred to as “ESET”), will, and hereby do, move the Court to exclude Plaintiff’s expert
9 Dr. Ricardo Valerdi.

10 This Motion is based upon this Notice of Motion and the concurrently-filed
11 Memorandum of Points & Authorities, the Declaration of Christopher C. Bolten, the
12 Federal Rules of Civil Procedure, the Patent Local Rules, the files and records of this
13 Court, and any and all other materials submitted to the Court on or before the time of its
14 decision on this matter.

15 Dated: April 23, 2019

Respectfully submitted,

FOLEY & LARDNER LLP

/s/ Christopher C. Bolten

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