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13 *Attorneys for Plaintiff*
 14 FINJAN, INC.

15 **IN THE UNITED STATES DISTRICT COURT**
 16 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**
 17 **SAN DIEGO DIVISION**

18 FINJAN, INC., a Delaware Corporation,

19 Plaintiff,

20 v.

21 ESET, LLC, a California Limited
 22 Liability Corporation, and ESET SPOL.
 23 S.R.O., a Slovak Republic Corporation,

24 Defendants.

25 ESET, LLC, a California Limited
 26 Liability Corporation, and ESET SPOL.
 27 S.R.O., a Slovak Republic Corporation,

28 Counterclaim-Plaintiffs,

29 v.

30 FINJAN, INC., a Delaware Corporation,

Counterclaim-Defendant.

Case No. 3:17-cv-00183-CAB-BGS

**PLAINTIFF FINJAN, INC.’S NOTICE
 OF MOTION AND MOTION IN
 LIMINE NO. 4 TO EXCLUDE
 UNSUPPORTED EXPERT
 TESTIMONY OF MR. BRITVEN AND
 DR. SPAFFORD REGARDING
 ALLEGED NON-INFRINGEMENT
 ALTERNATIVES**

Date: February 21, 2020

Judge: Hon. Cathy Ann Bencivengo

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

1 **NOTICE OF MOTION AND MOTION *IN LIMINE* NO. 4**

2 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE that on February 21, 2020, or as soon thereafter as this
4 matter may be heard by the Honorable Cathy Ann Bencivengo in Courtroom 4C of the
5 above-entitled Court, located at 221 West Broadway, Suite 4165, San Diego,
6 California, 92101, Plaintiff-Counterclaim-Defendant Finjan, Inc. will and hereby does
7 move the Court for an order excluding Defendants-Counterclaim-Plaintiffs Eset, LLC
8 and Eset spol. s.r.o. from presenting unsupported opinion testimony of their experts Mr.
9 Britven and Dr. Spafford regarding alleged non-infringing alternatives.

10 This motion is based on this Notice of Motion, the Memorandum of Points and
11 Authorities, the pleadings and papers on file, all other arguments submitted in
12 connection with this matter, and all matters of which the Court may take judicial notice.

13
14 Respectfully submitted,

15 DATED: February 7, 2020

16 By: s/ Lisa Kobialka

17 Paul Andre (State Bar. No. 196585)

18 Lisa Kobialka (State Bar No. 191404)

19 James Hannah (State Bar No. 237978)

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