

1 NICOLA A. PISANO, CA Bar No. 151282  
NicolaPisano@eversheds-sutherland.com

2 JOSE L. PATIÑO, CA Bar No. 149568  
JosePatino@eversheds-sutherland.com

3 JUSTIN E. GRAY, CA Bar No. 282452  
JustinGray@eversheds-sutherland.com

4 SCOTT A. PENNER, CA Bar No. 253716  
ScottPenner@eversheds-sutherland.com

5 **EVERSHEDS SUTHERLAND (US) LLP**

6 12255 EL CAMINO REAL, SUITE 100

7 SAN DIEGO, CALIFORNIA 92130

8 TELEPHONE: 858.252.6502

9 FACSIMILE: 858.252.6503

10 Attorneys for Defendants and Counter-Plaintiffs  
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

**RENEWED MOTION FOR ISSUANCE  
OF LETTER OF REQUEST**

Judge: Hon. Bernard G. Skomal

18  
19 AND RELATED COUNTERCLAIMS.  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 Pursuant to the December 29, 2020 Order Denying Defendants’ Motion for  
2 Issuance of Letter of Request, D.I. 842 (“Order”), Defendants ESET, spol. s.r.o. and  
3 ESET, LLC (collectively, “ESET”) make this renewed application to the Court for  
4 issuance of a Letter of Request, in the form attached as Exhibit A.

5 The Letter of Request has been modified from a prior version (D.I. 838-2) in  
6 accordance with the Order. Specifically, the “Subject of Examination” paragraph was  
7 modified to remove the words “at least” that precede a list of topics.

8 Because ESET has modified the Letter of Request in accordance with the Order,  
9 ESET respectfully requests that the Court issue the corresponding Letter of Request in  
10 the form attached as Exhibit A.

11 Dated: December 29, 2020

Respectfully submitted,

**EVERSHEDS SUTHERLAND (US) LLP**

*/s/ Scott A. Penner*

---

NICOLA A. PISANO, CA Bar No. 151282  
NicolaPisano@eversheds-sutherland.com  
JOSE L. PATIÑO, CA Bar No. 149568  
JosePatino@eversheds-sutherland.com  
JUSTIN E. GRAY, CA Bar No. 282452  
JustinGray@eversheds-sutherland.com  
SCOTT A. PENNER, CA Bar No. 253716  
ScottPenner@eversheds-sutherland.com  
12255 EL CAMINO REAL, SUITE 100  
SAN DIEGO, CALIFORNIA 92130  
TELEPHONE: 858.252.6502  
FACSIMILE: 858.252.6503

Attorneys for Defendants and Counter-Plaintiffs  
ESET, LLC and ESET, SPOL. S.R.O.