

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FINJAN, INC., a Delaware Corporation,

Plaintiff,

v.

RAPID7, INC., a Delaware Corporation
and RAPID7 LLC, a Delaware Limited
Liability Company,

Defendants.

C.A. No. 1:18-cv-01519-MN

STIPULATION REGARDING PRIOR DEPOSITIONS

Plaintiff Finjan, Inc. (“Plaintiff”) and Defendants Rapid7, Inc. and Rapid7 LLC (“Defendants”), by and through their undersigned counsel, hereby jointly present the following stipulation:

WHEREAS, Finjan has filed suit in the District of Delaware against Rapid7, captioned as *Finjan, Inc. v. Rapid7, Inc. and Rapid7 LLC*, 1:18-cv-01519 (D. Del.) (the “Rapid7 Case”);

WHEREAS Finjan has also filed suit in the Northern District of California against Cisco Systems, Inc. (“Cisco”), captioned as *Finjan, Inc. v. Cisco Systems, Inc.*, 5:17-cv-00072-BLF (N.D. Cal.) (the “Cisco Case”); and

WHEREAS, the Parties have identified certain witnesses as having information that may be relevant to the Rapid7 Case, which witnesses were previously deposed in the Cisco Case. These witnesses are Asher Polani, Shlomo Touboul, David Kroll, Yuval Ben-Itzhak, David Gruzman, and Daniel Chinn (the “Cisco Case Deponents”).

The Parties do hereby stipulate and agree as follows:

1. The video and written deposition transcripts of the Cisco Case Deponents shall be permitted to be used in the Rapid7 Case to the same extent as if those depositions had been taken in the Rapid7 Case, for all purposes permitted under the Federal Rules of

Civil Procedure, and subject to any objection by either party other than an objection that these depositions were not taken in the Rapid7 Case; and

2. Rapid7 and Finjan may not again depose any of the Cisco Case Deponents in the Rapid7 Case.

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