

**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 AND ORDER TO EXTEND TIME

Plaintiff Finjan, Inc. and Defendants Rapid7, Inc. and Rapid7 LLC (collectively, “the Parties”), by and through their undersigned counsel, and subject to the approval of the Court, hereby stipulate and agree to extend certain case deadlines, as indicated below.

The COVID-19 pandemic and resulting shelter in place laws have created further substantial impediments to the ability of the Parties and their experts to complete expert reports on the current schedule. This includes the inability for experts to travel to access Defendants’ source code, as Defendants’ facilities are currently closed through June 1, 2020.

The proposed deadlines do not impact the Court’s set dates for the submission of summary judgment briefing, the pre-trial conference, and trial.

Deadline	Current Date	Proposed Date
Opening/Burden of Proof Expert Reports	5/22/20	6/15/20
Rebuttal Expert Reports	6/26/20	7/17/20
Reply Expert Reports	7/31/20	8/10/20
Close of expert discovery	8/28/20	9/1/20
Opening letter briefs seeking permission to file summary judgment motions	9/3/20	9/4/20

Deadline	Current Date	Proposed Date
Answering letter briefs regarding requests to file motions for summary judgment	7 days after opening letter brief	7 days after opening letter brief
Case Dispositive Motions (if permitted) and Daubert Motions	9/25/20 (unchanged)	
Joint Proposed final pretrial order	2/1/21 (unchanged)	
Pre-trial Conference	2/08/21 – 2 PM (unchanged)	
Trial – 6-day Jury	2/22/21 – 9:30 AM (unchanged)	

Prior to filing any summary judgment motion, the parties must submit letter briefs seeking permission to file the motion. Opening letter briefs shall be no longer than five (5) pages and shall be filed with the Court no earlier than September 4, 2020. Answering letter briefs shall be no longer than five (5) pages and shall be filed with the Court no more than seven (7) days after the Opening Letter Brief. No replies shall be filed. Unless the Court grants leave for additional letters to be filed, each side shall present all grounds on which it seeks permission to file for summary judgment in its single opening letter brief.

[SIGNATURE PAGE FOLLOWS.]

**POTTER ANDERSON
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*Counsel for Defendants
Rapid7, Inc. and Rapid7 LLC*

Dated: May 13, 2020

SO ORDERED, this 13th day of May, 2020.


The Honorable Maryellen Noreika
United States District Judge