

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FINJAN LLC, a Delaware Limited Liability
Company,

Plaintiff,

v.

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

Defendants.

C.A. No. 18-1519-MN


REDACTED

**DECLARATION OF SUSAN E. MORRISON IN SUPPORT OF
FINJAN LLC'S MOTIONS TO PRECLUDE TRIAL TESTIMONY**

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Dated: October 23, 2020

**ATTORNEYS FOR
PLAINTIFF FINJAN LLC**

I, Susan E. Morrison, under penalty of perjury, declare as follows:

1. I am a partner with the law firm of Fish & Richardson P.C., counsel for Finjan LLC (“Finjan”) in this action. I make this declaration in support of Finjan LLC’s Partial *Daubert* Motion to Preclude Trial Testimony by Rapid7’s Experts Kevin Almeroth, Ph.D., Patrick McDaniel, Ph.D., and Somesh Jha, Ph.D., Concerning Sufficiency of Written Description for the Patents-In-Suit and Finjan LLC’s Motion to Preclude Trial Testimony of Rapid7’s Damages Expert Stephen L. Becker. Unless otherwise stated, the matters contained in this declaration are of my own personal knowledge and, if called as a witness, I could and would testify competently to the matters set forth herein.

2. Attached hereto as Exhibit A is a true and correct copy of an excerpt from the Opening Expert Report of Kevin Almeroth, Ph.D. dated June 17, 2020.

3. Attached hereto as Exhibit B is a true and correct copy of an excerpt from the Opening Expert Report Patrick McDaniel, Ph.D. dated June 17, 2020.

4. Attached hereto as Exhibit C is a true and correct copy of an excerpt from the Opening Expert Report Somesh Jha, Ph.D. dated June 17, 2020.

5. Attached hereto as Exhibit D is a true and correct copy of an excerpt from the Deposition of Kevin Almeroth, Ph.D., taken September 25, 2020.

6. Attached hereto as Exhibit E is a true and correct copy of an excerpt from the Deposition of Patrick McDaniel, Ph.D., taken September 11, 2020.

7. Attached hereto as Exhibit F is a true and correct copy of an excerpt from the Deposition of Somesh Jha, Ph.D., taken September 29, 2020.

8. Attached hereto as Exhibit G is a true and correct copy of the Opening Expert Report of Stephen L. Becker dated July 31, 2020.

9. Attached hereto as Exhibit H is a true and correct copy of an excerpt from the Deposition of Stephen L. Becker taken October 1, 2020.

10. Attached hereto as Exhibit I is a true and correct copy of Exhibit 18 (Corrected Exhibit SLB-5A to the Expert Report of Stephen L. Becker) from the Deposition of Stephen L. Becker taken October 1, 2020.

11. Attached hereto as Exhibit J is a true and correct copy of Exhibit 23 (FINJAN-RPD 433170) from the Deposition of Stephen L. Becker taken October 1, 2020.

12. Attached hereto as Exhibit K is a true and correct copy of an excerpt from the Expert Report of Stephen L. Becker in *Finjan, Inc. v. Cisco Systems, Inc.*, Case No. 5:17-cv-00072-BLF from the United States District Court for the Northern District of California produced in this matter as FINJAN-RPD 534415-534496.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 23rd day of October, 2020 at Wilmington, DE.

/s/ Susan E. Morrison
Susan E. Morrison

CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2020, I electronically filed with the Clerk of the Court, UNDER SEAL, the foregoing document using CM/ECF, and sent electronic copies of such filing to the following counsel:

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/s/ Susan E. Morrison
Susan E. Morrison