

**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. 1:18-cv-01519-MN

Jury Trial Demanded

**REDACTED VERSION**  
**Filed on November 13, 2020**

**DECLARATION OF JOHN R. GIBSON IN SUPPORT OF DEFENDANTS  
RAPID7, INC. AND RAPID7 LLC'S RESPONSE IN OPPOSITION TO FINJAN LLC'S  
MOTION TO PRECLUDE TRIAL TESTIMONY OF RAPID7'S DAMAGES EXPERT  
STEPHEN BECKER**

I, John R. Gibson, declare and state the following:

1. My name is John R. Gibson. I provide this declaration in response to Finjan LLC's Motion to Preclude Trial Testimony of Rapid7's Damages Expert Stephen Becker. I have personal knowledge of the following based upon my representation of Rapid7 in this matter and, if called as a witness, I could and would testify competently thereto.

2. I am a partner at Duane Morris LLP, which represents Rapid7, Inc. and Rapid7 LLC in the above-captioned matter. I am a member of good standing of the State Bar of Georgia and the Commonwealth of Virginia, and am admitted *pro hac vice* in the District of Delaware for this matter.

3. Attached hereto as Exhibit 1 are excerpts from Finjan's Response to Interrogatory No. 14 (served Jan. 21, 2020).

4. Attached hereto as Exhibit 2 are excerpts from the Expert Report of Russell L. Parr, CFA, CLP, dated June 17, 2020.

5. Attached hereto as Exhibit 3 is a true and correct copy of Finjan-RPD 427541, which was introduced as Exhibit 9 to Mr. Parr's deposition.

6. Attached hereto as Exhibit 4 are excerpts from the September 11, 2020 deposition of Russell L. Parr.

7. Attached hereto as Exhibit 5 is a true and correct copy of the Order on *Daubert* Motions, *Finjan, Inc. v. Cisco Sys., Inc.*, Case No. 17-cv-00072-BLF, Dkt. 555 (redacted version) (N.D. Cal. Apr. 21, 2020)

8. Attached hereto as Exhibit 6 are excerpts from Finjan's Motion to Exclude Expert Opinions of Cisco's Experts Mr. Overby & Dr. Becker, *Finjan, Inc. v. Cisco Sys., Inc.*

9. Attached hereto as Exhibit 7 are excerpts from the Expert Report of Stephen Becker dated August 14, 2019, in the *Finjan, Inc. v. Cisco Sys., Inc.* matter.

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

Dated this 6<sup>th</sup> day of November, 2020.

/s/ John R. Gibson

John R. Gibson