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Attorneys for Defendant
ZSCALER, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

FINJAN, INC., a Delaware Corporation,

Plaintiff,

v.

ZSCALER, INC., a Delaware Corporation,

Defendant.

Case No.: 3:17-cv-6946-JST

**STIPULATION EXTENDING
DEADLINES TO FILE JOINT
CLAIM CONSTRUCTION
STATEMENT AND EXCHANGE
EXPERT DECLARATIONS**

1 Pursuant to Civil Local Rules 6-1 and 7-12, Plaintiff Finjan, Inc. (“Finjan”) and Defendant
2 Zscaler, Inc. (“Zscaler”) (collectively, the “Parties”) submit this Stipulation Extending Deadlines to
3 File the Joint Claim Construction Statement and Exchange Expert Declarations, in light of the
4 January 2, 2019, hearing on the Court’s Order to Show Cause (Dkt. 87).

5 WHEREAS, the Parties’ Joint Claim Construction Statement is currently due on December
6 21, 2018 and the Parties must exchange expert declarations in support of claim construction on
7 January 4, 2019;

8 WHEREAS, on December 11, 2018, the Court issued an Order to Show Cause why this
9 case should not be stayed (Dkt. 87), to which responses are due on December 21, 2018 and on
10 which a hearing is scheduled for January 2, 2019;

11 WHEREAS, although the parties disagree on whether this case should be stayed, in light of
12 the January 2, 2019 hearing and the upcoming holidays, the parties agree that the deadlines to file
13 the Joint Claim Construction Statement and exchange expert claim construction deadlines should
14 be postponed briefly until after the January 2, 2019 hearing;

15 WHEREAS, this brief postponement will not affect any other dates currently set by the
16 Court, including the remainder of the claim construction briefing schedule, the March 12, 2019
17 claim construction tutorial, or the March 25, 2019 claim construction hearing, all of which will
18 remain as scheduled by the Court at Dkt. 85;

19 WHEREAS, the schedule in this case has previously been modified with respect to five
20 events. On January 12, 2018 the parties stipulated to extend the time for Zscaler to respond to the
21 Complaint until February 12, 2018, at Dkt. 14. The settlement conference date was also
22 rescheduled from July 13, 2018 to September 11, 2018 at Dkt. 54, again to September 19, 2018 at
23 Dkt. 67, and again to September 28, 2018 at Dkt. 70. The Court also granted the parties’
24 stipulation to set the deadline for expert claim construction declarations at Dkt. 69, granted the
25 parties’ stipulation to extend deadlines for claim construction in Dkt. 74 in view of the court’s
26 Order to produce more detailed infringement contentions in Dkt. 72, and rescheduled the deadlines
27 for claim construction briefing at Dkt. 85 in view of the pending Motion to Enforce at Dkt. 77.
28

1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among
2 counsel for Finjan and counsel for Zscaler that the deadline for the parties to file the Joint Claim
3 Construction Statement shall be January 9, 2019, and the deadline for the parties to exchange expert
4 declarations in support of their claim construction positions shall be January 22, 2019.

5
6 **IT IS SO STIPULATED.**

7
8 Respectfully submitted,

9 DATED: December 20, 2018

By: /s/Austin Manes

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17 Attorneys for Plaintiff
FINJAN, INC.

18
19 Respectfully submitted,

20 DATED: December 20, 2018

By: /s/Joshua D. Furman

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ZSCALER, INC.

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ATTESTATION

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from any other signatory to this document.

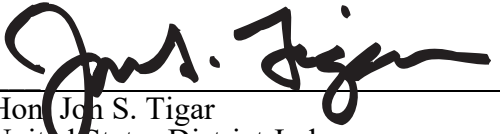
/s/ Austin Manes
Austin Manes

~~**PROPOSED**~~ **ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The deadline for the parties to file the Joint Claim Construction Statement is January 9, 2019. The deadline for the parties to exchange expert declarations in support of their claim construction positions is January 22, 2019. All other deadlines set by the Court remain the same.

DATED: December 21, 2018

By: 
Hon. John S. Tigar
United States District Judge

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