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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Case No. 3:10-cv-02351 MHP
Pleading Type: Class Action

CATS AND DOGS ANIMAL HOSPITAL,
INC.; ASTRO APPLIANCE SERVICE;
BLEEDING HEART, LLC; CALIFORNIA
FURNISHINGS, INC.; CELIBRÉ, INC.; J.L.
FERRI ENTERTAINMENT, INC.; LE
PETITE RETREAT DAY SPA, LLC; SAN
FRANCISCO BAY BOAT CRUISES, LLC;
WAG MY TAIL, INC.; and ZODIAC
RESTAURANT GROUP, INC., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

YELP! INC.,

Defendant.

[PROPOSED] ORDER:

**(1) DENYING YELP’S MOTION TO
CONSOLIDATE (DKT. NO. 64);**

**(2) DESIGNATING *CATS AND DOGS* THE
LEAD ACTION;**

(3) STAYING THE *LEVITT* ACTION;

**(4) APPOINTING THE WESTON FIRM
AND BECK & LEE AS INTERIM CLASS
COUNSEL; AND**

**(5) TAKING UNDER SUBMISSION THE
FULLY-BRIEFED MOTION TO DISMISS
THE *CATS AND DOGS* FIRST AMENDED
COMPLAINT AND SETTING HEARING
DATE**

BORIS Y. LEVITT, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

YELP! INC.; and DOES 1 through 100,
inclusive,

Defendants.

NO. CV 10-01321 MHP

1 The Court has considered the Motion of Defendant Yelp! Inc. to Consolidate Related
2 Cases For All Purposes and to Set Dates for Consolidated Amended Complaint and Response
3 Thereto (Dkt. No. 64); the Opposition and Cross-Motion of Plaintiffs CATS AND DOGS
4 ANIMAL HOSPITAL, INC.; ASTRO APPLIANCE SERVICE; BLEEDING HEART, LLC;
5 CALIFORNIA FURNISHINGS, INC.; CELIBRÉ, INC.; J.L. FERRI ENTERTAINMENT,
6 INC.; LE PETITE RETREAT DAY SPA, LLC; SAN FRANCISCO BAY BOAT CRUISES,
7 LLC; WAG MY TAIL, INC.; and ZODIAC RESTAURANT GROUP, INC. (collectively,
8 “Plaintiffs”); and the related papers submitted in opposition to, and in support of, each of the
9 parties’ motions.

10 For good cause appearing therefore, Yelp’s Motion is DENIED.

11 For good cause appearing therefore, Plaintiffs’ Motion is GRANTED and there Court
12 hereby orders as follows:

- 13 1. The *Cats and Dogs* action is designated the Lead Action.
- 14 2. The *Levitt* action is hereby stayed pending resolution of the *Cats and Dogs* action.
- 15 3. Counsel for the *Cats and Dogs* Plaintiffs, The Weston Firm and Beck & Lee
16 Business Trial Lawyers are hereby appointed Interim Class Counsel.
- 17 4. Yelp’s fully-briefed Motion to Dismiss (Dkt. Nos. 22-23, 27, 40, 51) is taken
18 under submission. A hearing on the motion is set for _____.

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20 **IT IS SO ORDERED**

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22 Dated: _____

The Hon. Mailyn Hall Patel
U.S. District Court Judge

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DATED: June 14, 2010

Respectfully Submitted,

/s/ Jack Fitzgerald
Jack Fitzgerald

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**Counsel for Plaintiffs and the
Proposed Classes**