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8 Attorneys for Plaintiffs
9 BORIS LEVITT, et al.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12
13 BORIS Y. LEVITT, on behalf of himself and all
others similarly situated,

14 Plaintiff,

15 v.

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

18 Defendants.

Case No. CV 10-01321 MHP

**PLAINTIFF'S RULE 26 INITIAL
DISCLOSURES**

Pursuant to Federal Rule of Civil Procedure 26(a)(1), Plaintiff Boris Y. Levitt makes the following initial disclosures. Levitt reserves the right to supplement these disclosures as discovery continues and he obtains further information. By making these disclosures, Levitt does not admit that all disclosed information is relevant or admissible as evidence at trial. Levitt submits these initial disclosures subject to the understanding that they will not limit Levitt's discovery in this Action or Levitt's right to supplement or amend these disclosures in the future. To the best of Levitt's knowledge, this disclosure is complete and correct at this time.

A. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION

Levitt hereby identifies the following individuals or entities who Levitt, at this time, believes are likely to have discoverable information that either Levitt or the other disclosing parties may use to support their claims and/or defenses.

NAME	CONTACT INFORMATION	SUBJECT(S) OF INFORMATION KNOWN BY WITNESS
Boris Levitt	Mr. Levitt may be contacted through Plaintiff's counsel	Facts relating to Mr. Levitt's experiences with Yelp.
Putative Class members that have made requests to Levitt and/or his counsel to join his lawsuit.	Assuming that Levitt amends his complaint to add additional class representatives, those class representatives may be contacted through Plaintiff's counsel	Facts relating to the putative class members' experiences with Yelp.
Yelp! Inc.	N/A	Information relating to the class list; Yelp's representations regarding its Review Filter; Yelp's database showing changes made to the Review Filter; Yelp's database showing changes that have been made to review pages pursuant to a) the Review Filter, b) violations of the terms of Yelp's Terms of Service or Review Guidelines, and c) if the author of the review removes the review; Yelp's internal guidelines regarding the solicitation of advertising; conduct of Yelp employees

NAME	CONTACT INFORMATION	SUBJECT(S) OF INFORMATION KNOWN BY WITNESS
		who solicited businesses for advertising; Yelp's database showing complaints and responses filed by business owners.
Business owners who were solicited by Yelp for Advertising	The contact information is in the possession of the Defendants	Whether Defendant's manipulation of the reviews of their businesses depended on whether they purchased advertising from Yelp.

B. DOCUMENTS RELEVANT TO DISPUTED FACTS

The following is a description by category of documents, data compilations, and tangible things, in Levitt's possession, custody, or control that either Levitt or other disclosing parties may use to support their claims and/or defenses, including non-privileged documents, which are at this time reasonably available:

1. Documents relating to Mr. Levitt's communications with Yelp.
2. Documents relating to Yelp's removal of reviews from Mr. Levitt's Yelp review webpage.
3. Documents relating to the decrease in the number of page views of Mr. Levitt's Yelp review webpage as a result of Yelp's removal of the positive reviews of Mr. Levitt's business.
4. Documents relating to complaints that Levitt and/or his counsel have received about Yelp.
5. Documents relating to representations on Yelp's webpage.

C. COMPUTATION OF DAMAGES

1 It would be premature for Levitt to compute estimated damages that Levitt and the Class
2 are entitled to recover. Levitt will supplement this section as discovery progresses and will make
3 all documents in support of his computation available for Defendant's inspection and copying.

4 **D. INSURANCE AGREEMENTS**

5 At this time, Levitt is not aware of any insurance agreement under which any person
6 carrying on an insurance business may be liable to satisfy part or all of a judgment, which may be
7 entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

8 **E. CERTIFICATION OF DISCLOSURE**

9 The undersigned hereby certifies that, to the best of her knowledge, information, and
10 belief, formed after an inquiry that is reasonable under the circumstances, this disclosure is
11 complete and correct as of the time it is made.

12
13 DATED: July 16, 2010

ONGARO BURTT LLP

14
15 By: /s/ Amelia D. Winchester
16 Attorneys for Plaintiff
BORIS LEVITT

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