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 24 YELP!, INC.

25 UNITED STATES DISTRICT COURT
 26 NORTHERN DISTRICT OF CALIFORNIA
 27 SAN FRANCISCO DIVISION

28 BORIS Y. LEVITT D/B/A RENAISSANCE
 RESTORATION, CATS AND DOGS ANIMAL
 HOSPITAL, INC., TRACY CHAN D/B/A
 MARINA DENTAL CARE and
 PROFESSIONAL CONSTRUCTION GROUP,
 INC. D/B/A PAVER PRO; on behalf of
 themselves and all others similarly situated,

Plaintiff,

v.

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

Defendants.

Case No. CV 10-01321 MHP
 Consolidated with CV 10-02351 MHP

CLASS ACTION

**DECLARATION OF S. ASHLIE
 BERINGER IN SUPPORT OF
 DEFENDANT YELP! INC.'S NOTICE OF
 MOTION AND MOTION TO DISMISS
 SECOND AMENDED CLASS ACTION
 COMPLAINT, AND TO DISMISS OR
 STRIKE CLASS ACTION ALLEGATIONS**

Date: February 7, 2011
 Time: 2:00 p.m.
 Place: Courtroom 15, 18th Floor
 450 Golden Gate Avenue
 San Francisco, California
 Judge: The Honorable Marilyn H. Patel

