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10 Counsel for Plaintiff and the Proposed Class

11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 CATS AND DOGS ANIMAL  
14 HOSPITAL, INC.; ASTRO  
15 APPLIANCE SERVICE; BLEEDING  
16 HEART, LLC d/b/a BLEEDING  
17 HEART BAKERY; CALIFORNIA  
18 FURNISHINGS, INC. d/b/a SOFA  
19 OUTLET; CELIBRÉ, INC.; J.L.  
20 FERRI ENTERTAINMENT, INC.  
21 d/b/a ADULT SOCIALS; LE PETITE  
22 RETREAT DAY SPA, LLC; SAN  
23 FRANCISCO BAY BOAT CRUISES,  
24 LLC d/b/a MERMAIDS CRUISE;  
25 WAG MY TAIL, INC.; and ZODIAC  
26 RESTAURANT GROUP, INC. d/b/a  
27 SCION RESTAURANT, on behalf of  
28 themselves and all others similarly  
29 situated,

Plaintiffs,

v.

YELP! INC.,

Defendant.

Case No.: 2:10-cv-01340 VBF SS  
Pleading Type: Class Action

**DECLARATION OF ELIZABETH  
LEE BECK IN SUPPORT OF  
PLAINTIFFS' EX PARTE MOTION  
FOR REASSIGNMENT,  
CONSOLIDATION, DESIGNATION  
OF LEAD CASE, AND  
APPOINTMENT OF INTERIM  
LEAD COUNSEL**

Judge: The Hon. Valerie Baker Fairbank

1 I, Elizabeth Lee Beck, declare:

2 1. I am a member in good standing of the State Bars of Florida and  
3 California, and admitted to practice before this Court. I have personal knowledge  
4 of the facts stated herein, and, if called on to do so, could and would testify  
5 competently thereto. I make this declaration in support of Plaintiffs' Ex Parte  
6 Motion for Reassignment, Consolidation, Designation of Lead Case, and  
7 Appointment of Interim Lead Counsel.

8 2. I am a founding partner of the law firm Beck & Lee, P.A. ("Beck &  
9 Lee"). Beck & Lee is a business and commercial litigation law firm based in  
10 Miami, Florida. The firm and its principals are experienced in commercial class  
11 action litigation, including on behalf of consumers.

12 3. I am experienced in and have represented both plaintiffs and  
13 defendants in class action litigation, including on behalf of consumers. My  
14 representation of plaintiffs includes the following class action litigation: *In re LTL*  
15 *Shipping Services Antitrust Litigation*, MDL Docket No. 1895 (N.D. Ga.) (pending  
16 antitrust litigation in the less-than-truckload shipping industry); *In re Korean Air*  
17 *Lines Co., Ltd. Antitrust Litigation*, MDL Docket No. 1891 (C.D. Cal.) (pending  
18 antitrust litigation in the airline industry); *Katz et al. v. Fifield Realty Corp. et al.*,  
19 Case No. 07-61626-CIV-SEITZ/MCALILEY (S.D. Fla.) (pending litigation under  
20 the federal Interstate Land Sales Full Disclosure Act); *Trilogy Properties LLC et*  
21 *al. v. SB Hotel Associates LLC et al.*, Case No. 09-21406-CIV-  
22 JORDAN/MCALILEY (S.D. Fla.) (pending litigation under the federal Interstate  
23 Land Sales Full Disclosure Act); *DA Air LLC v. Diamond Aircraft Industries Inc.*,  
24 No. 09-60157-CIV-UNGARO/SIMONTON (S.D. Fla.) (litigation under federal  
25 Magnuson-Moss Warranty Act); *Becker et al. v. TRG Columbus Dev., Ltd.*, No.

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1 08-05068-CA-09 (Fla. Cir. Ct.) (litigation under Florida deceptive and unfair trade  
2 practices statute).

3 4. I have also served as defense counsel in the following class action  
4 litigation: *Zlotnick v. Premier Sales Group, Inc. et al.*, No. 9:06-cv-80091-KLR  
5 (S.D. Fla.) (action on behalf of purchasers of condominium units alleging unfair  
6 and deceptive trade practices); and *Hicks et al. v. Kaufman & Broad Home Corp.*  
7 *et al.*, No. BC198414 (Los Angeles Cty. Sup. Ct.) (breach of warranty and  
8 construction defects litigation).

9 5. I received a B.S. from the University of California, Los Angeles, and  
10 graduated from Yale Law School. Prior to founding Beck & Lee, I practiced at  
11 Quinn Emanuel Urquhart Oliver & Hedges, LLP in Los Angeles, and at Coffey  
12 Burlington in Miami.

13 6. Following our filing on February 23, 2010 of the first Complaint  
14 against Yelp, my firm and The Weston Firm have been contacted by more than 150  
15 other small business owners with stories similar to Dr. Perrault's. The firms  
16 continue to receive numerous inquires each day.

17 7. Our firm and The Weston Firm spent substantial time interviewing  
18 these small business owners, and preparing the First Amended Class Action  
19 Complaint ("Amended Complaint"), which was filed on March 16. The Amended  
20 Complaint added a great amount of detail concerning Yelp's unlawful business  
21 practices, included several more claims for relief, and named nine additional small  
22 business representative plaintiffs.

23 8. Since February, when the Proposed Interim Class Counsel filed the  
24 First Complaint, counsel have, among other things:

- 25 • Filed a detailed 39-page Amended Complaint;

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- Conferred with Yelp’s counsel and stipulated to extend Yelp's time to respond;
- Conferred with Yelp’s counsel, including in person in San Francisco on March 18, on case management issues;
- Scheduled a Rule 26(f) discovery conference with Yelp for April 8;
- Conferred with Yelp’s counsel on issues of class certification, proposed injunctive relief, and electronic discovery; and
- Begun drafting Rule 26 disclosures.

9. On March 22, 2010, I conferred with Ron Marron twice by telephone and several more times by e-mail. Despite these efforts, Plaintiffs were unable to obtain a stipulation.

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

Executed in Miami, Florida on March 24, 2010.

/s/ Elizabeth Lee Beck  
Elizabeth Lee Beck

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DATED: March 24, 2010

Respectfully submitted,

s/Gregory S. Weston  
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Counsel for *Cats and Dogs* Plaintiffs