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 12 YELP! INC.

13 UNITED STATES DISTRICT COURT
 14 CENTRAL DISTRICT OF CALIFORNIA
 15 WESTERN DIVISION

16 CATS AND DOGS ANIMAL
 17 HOSPITAL, INC., et al., on behalf of
 18 itself and all others similarly situated,

19 Plaintiffs,

20 v.

21 YELP! INC.,

22 Defendant.

Case No. CV 10-01340 VBF(SSx)

**DEFENDANT YELP! INC.'S NOTICE
 OF MOTION AND MOTION TO
 DISMISS PLAINTIFFS' FIRST
 AMENDED COMPLAINT**

Hearing Date: May 3, 2010
 Hearing Time: 1:30 p.m.
 Judge: Hon. Valerie Baker Fairbank

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NOTICE OF MOTION AND MOTION TO DISMISS

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD IN THIS MATTER:

PLEASE TAKE NOTICE that on May 3, 2010 at 1:30 p.m., or as soon thereafter as the matter may be heard, pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Yelp! Inc. (“Yelp”) will and hereby does move this Court, the Honorable Valerie Baker Fairbank presiding, for an order dismissing with prejudice the First Amended Complaint filed by Plaintiffs in the above-captioned action.

This motion is based on this Notice, the accompanying memorandum of points and authorities, on all other pleadings and papers on file in the above-captioned action, and on such oral and documentary evidence and argument as may be presented at the time of hearing.

This motion is made following the conference of counsel pursuant to Civil Local Rule 7-3. Yelp’s counsel contacted Plaintiffs’ counsel at both The Weston Firm and Beck & Lee Business Trial Lawyers via telephone on March 26, 2010 and left voicemail messages at both firms to confer regarding this motion. Having not heard back from Plaintiffs’ counsel, Yelp’s counsel again contacted Plaintiffs’ counsel, via e-mail message, on the morning of March 30, 2010. Yelp’s counsel and Plaintiffs’ counsel conferred via telephone on March 30, 2010.

Dated: April 1, 2010

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