

1 COOLEY GODWARD KRONISH LLP  
 2 MICHAEL G. RHODES (116127)  
 3 (rhodesmg@cooley.com)  
 4 MATTHEW D. BROWN (196972)  
 5 (brownmd@cooley.com)  
 6 BENJAMIN KLEINE (257225)  
 7 (bkleine@cooley.com)  
 8 101 California Street  
 9 5th Floor  
 10 San Francisco, CA 94111-5800  
 11 Telephone: (415) 693-2000  
 12 Facsimile: (415) 693-2222

13 COOLEY GODWARD KRONISH LLP  
 14 SARAH R. BOOT (253658)  
 15 (sboot@cooley.com)  
 16 4401 Eastgate Mall  
 17 San Diego, CA 92121-1909  
 18 Telephone: (858) 550-6000  
 19 Facsimile: (858) 550-6420

20 Attorneys for Defendant  
 21 YELP! INC.

22 UNITED STATES DISTRICT COURT  
 23 CENTRAL DISTRICT OF CALIFORNIA  
 24 WESTERN DIVISION

25 CATS AND DOGS ANIMAL  
 26 HOSPITAL, INC., et al., on behalf of  
 27 itself and all others similarly situated,

28 Plaintiffs,

v.

YELP! INC.,

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

COOLEY GODWARD KRONISH LLP  
MICHAEL G. RHODES (116127)  
MATTHEW D. BROWN (196972)  
BENJAMIN KLEINE (257225)  
SARAH R. BOOT (253658)

/s/ Matthew D. Brown  
Matthew D. Brown (196972)  
Attorneys for Defendant  
YELP! INC.