COOLEY GODWARD KRONISH LLP
MICHAEL G. RHODES (116127)
(rhodesmg@cooley.com)
MATTHEW D. BROWN (196972)
(brownmd@cooley.com)
BENJAMIN H. KLEINE (257225)
(bkleine@cooley.com)
101 California Street
5th Floor
San Francisco, CA 94111-5800
Telephone: (415) 693-2000
Facsimile: (415) 693-2222

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

Attorneys for Defendant
YELP! INC.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

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

Plaintiffs,

v.

YELP! INC.,

Defendant.

Case No. CV 10-01340 VBF(SSx)

[PROPOSED] ORDER GRANTING DEFENDANT YELP! INC.'S MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT

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

This motion of Defendant Yelp! Inc. ("Yelp") to dismiss Plaintiffs' First Amended Complaint was heard on May 3, 2010 at 1:30 p.m. in this Court. Counsel for Yelp and for Plaintiffs were in attendance and presented oral arguments. Having considered the parties' papers filed in support of and in opposition to the motion, oral argument, and all other pleadings and papers on file herein, the Court finds as follows:

1. With respect to the first claim for relief for violation of California Penal Code sections 518 and 519 (Extortion), Plaintiffs fail to state a claim upon which relief may be granted and fail to plead with the particularity required by Federal Rule of Civil Procedure 9(b).

2. With respect to the second claim for relief for violation of California Penal Code section 524 (Attempted Extortion), Plaintiffs fail to state a claim upon which relief may be granted and fail to plead with the particularity required by Federal Rule of Civil Procedure 9(b).

3. With respect to the third claim for relief for Intentional Interference with Prospective Economic Advantage, Plaintiffs fail to state a claim upon which relief may be granted and fail to plead with the particularity required by Federal Rule of Civil Procedure 9(b).

4. With respect to the fourth claim for relief for violation of the Unfair Competition Law, California Business and Professions Code section 17200, Plaintiffs fail to state a claim upon which relief may be granted and fail to plead with the particularity required by Federal Rule of Civil Procedure 9(b).

Accordingly, **IT IS HEREBY ORDERED THAT**:

1. Yelp's Motion to Dismiss Plaintiffs' First Amended Complaint is **GRANTED**; and

2. All claims for relief as to Yelp are hereby **DISMISSED** with prejudice without leave to amend.

IT IS SO ORDERED.

Dated: _____

_____
Honorable Valerie Baker Fairbank
United States District Judge