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13 **Attorneys for Plaintiffs and the Proposed Classes**

15 **UNITED STATES DISTRICT COURT**
 16 **CENTRAL DISTRICT OF CALIFORNIA**

17 CATS AND DOGS ANIMAL HOSPITAL,
 18 INC.; ASTRO APPLIANCE SERVICE;
 19 BLEEDING HEART, LLC; CALIFORNIA
 20 FURNISHINGS, INC.; CELIBRÉ, INC.;
 21 J.L. FERRI ENTERTAINMENT, INC.; LE
 22 PETITE RETREAT DAY SPA, LLC; SAN
 23 FRANCISCO BAY BOAT CRUISES,
 24 LLC; WAG MY TAIL, INC.; and
 25 ZODIAC RESTAURANT GROUP, INC.,
 26 on behalf of themselves and all others
 27 similarly situated,

24 Plaintiffs,

25 v.

26 YELP! INC.,
 27 Defendant.

Case No: 2:10-cv-01340-VBF-SS

Pleading Type: Class Action

**DECLARATION OF JOHN
 LEWIS IN SUPPORT OF
 PLAINTIFFS' OPPOSITION
 TO DEFENDANT YELP! INC.'S
 MOTION TO TRANSFER
 VENUE (28 U.S.C. § 1404(a))**

Hearing Date: May 10, 2010

Hearing Time: 1:30 p.m.

Judge: Hon. Valerie Baker Fairbank

1 I, John Lewis, declare:

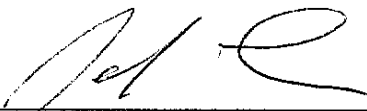
2 1. I am the owner of San Francisco Bay Boat Cruises, LLC, Plaintiff in
3 this action. I submit this declaration in support of Plaintiffs' Opposition to Yelp's
4 Motion to Transfer Venue. I have personal knowledge of the facts stated herein
5 and, if called upon to do so, could and would testify competently thereto.

6 2. To my knowledge, I have never agreed to a forum selection clause
7 with respect to any disputes with Yelp.

8 3. To the extent that my use of the Yelp website, including my claiming
9 my business's Yelp.com listing, purportedly binds me to Yelp's Terms of Service,
10 and that those Terms of Service include a forum selection clause in the event of a
11 dispute with Yelp, I never had any knowledge of that clause and never expected, if
12 a dispute arose with Yelp, that I would be limited to litigation in the Northern
13 District of California.

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

16 Executed in San Francisco, California on April 19, 2010.

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19 _____
20 John Lewis

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1 DATED: April 19, 2010

Respectfully Submitted,

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/s/Jared H. Beck

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Jared H. Beck

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