

1 COOLEY LLP
 2 MICHAEL G. RHODES (116127)
 (rhodesmg@cooley.com)
 3 MATTHEW D. BROWN (196972)
 (brownmd@cooley.com)
 4 BENJAMIN KLEINE (257225)
 (bkleine@cooley.com)
 5 SARAH R. BOOT (253658)
 (sboot@cooley.com)
 6 NEHA M. MARATHE (252304)
 (nmarathe@cooley.com)
 7 101 California Street
 5th Floor
 San Francisco, CA 94111-5800
 8 Telephone: (415) 693-2000
 Facsimile: (415) 693-2222
 9

10 Attorneys for Defendant
 11 YELP! INC.

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

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

17 Plaintiffs,

18 v.

19 YELP! INC.,

20 Defendant.

Case No. CV 10-01340 VBF(SSx)

**DECLARATION OF MATTHEW D.
 BROWN IN SUPPORT OF DEFENDANT
 YELP! INC.'S REPLY IN SUPPORT OF
 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

21 CHRISTINE LaPAUSKY d/b/a
 22 D'AMES DAY SPA, on behalf of
 herself and all others similarly situated,

23 Plaintiffs,

24 v.

25 YELP! INC.,

26 Defendant.

Case No. CV 10-01578 VBF (SSx)

28

1 I, Matthew D. Brown, hereby declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and
3 a member of the bar of this Court. I am a partner with the firm of Cooley LLP,
4 attorneys of record for defendant Yelp! Inc. (“Yelp”). I have personal knowledge
5 of the facts set forth herein, and, if called as a witness, I could and would
6 competently testify thereto.

7 2. On April 26, 2010, I had a telephone conversation with Lawrence D.
8 Murray, counsel for the plaintiff in the case captioned *Boris Y. Levitt v. Yelp! Inc.*,
9 No. CGC-10-497777. The *Levitt* case is pending in the U.S. District Court for the
10 Northern District of California before the Honorable Marilyn Hall Patel.

11 3. I had previously informed Mr. Murray that Yelp was moving to
12 transfer the two cases pending in the Central District of California (*Cats and Dogs*
13 and *LaPausky*) to the Northern District of California.

14 4. On our April 26th call, Mr. Murray said that if the *Cats and Dogs* and
15 *LaPausky* cases are transferred to the Northern District, Plaintiff Levitt will
16 stipulate to having all three cases consolidated there.

17 I declare under penalty of perjury that the foregoing is true and correct.
18 Executed on the 26th day of April, 2010 at San Francisco, California.

19
20
21
22
23
24
25
26
27
28

/s/ Matthew D. Brown
Matthew D. Brown