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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

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

Plaintiffs,

v.

YELP! INC.,

Defendant.

BORIS Y. LEVITT, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

YELP! INC.; and DOES 1 through 100,
inclusive,

Defendants.

Case No. 3:10-cv-02351 MHP
Pleading Type: Class Action

[PROPOSED] ORDER:

- (1) DENYING YELP’S MOTION TO CONSOLIDATE (DKT. NO. 64);**
- (2) DESIGNATING *CATS AND DOGS* THE LEAD ACTION;**
- (3) STAYING THE *LEVITT* ACTION;**
- (4) APPOINTING THE WESTON FIRM AND BECK & LEE AS INTERIM CLASS COUNSEL; AND**
- (5) TAKING UNDER SUBMISSION THE FULLY-BRIEFED MOTION TO DISMISS THE *CATS AND DOGS* FIRST AMENDED COMPLAINT AND SETTING HEARING DATE**

NO. CV 10-01321 MHP

1 The Court has considered the Motion of Defendant Yelp! Inc. to Consolidate Related
2 Cases For All Purposes and to Set Dates for Consolidated Amended Complaint and Response
3 Thereto (Dkt. No. 64); the Opposition and Cross-Motion of Plaintiffs CATS AND DOGS
4 ANIMAL HOSPITAL, INC.; ASTRO APPLIANCE SERVICE; BLEEDING HEART, LLC;
5 CALIFORNIA FURNISHINGS, INC.; CELIBRÉ, INC.; J.L. FERRI ENTERTAINMENT,
6 INC.; LE PETITE RETREAT DAY SPA, LLC; SAN FRANCISCO BAY BOAT CRUISES,
7 LLC; WAG MY TAIL, INC.; and ZODIAC RESTAURANT GROUP, INC. (collectively,
8 “Plaintiffs”); and the related papers submitted in opposition to, and in support of, each of the
9 parties’ motions.

10 For good cause appearing therefore, Yelp’s Motion is DENIED.

11 For good cause appearing therefore, Plaintiffs’ Motion is GRANTED and there Court
12 hereby orders as follows:

- 13 1. The *Cats and Dogs* action is designated the Lead Action.
- 14 2. The *Levitt* action is hereby stayed pending resolution of the *Cats and Dogs* action.
- 15 3. Counsel for the *Cats and Dogs* Plaintiffs, The Weston Firm and Beck & Lee
16 Business Trial Lawyers are hereby appointed Interim Class Counsel.
- 17 4. Yelp’s fully-briefed Motion to Dismiss (Dkt. Nos. 22-23, 27, 40, 51) is taken
18 under submission. A hearing on the motion is set for _____.

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20 **IT IS SO ORDERED**

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22 Dated: _____

The Hon. Mailyn Hall Patel
U.S. District Court Judge

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DATED: June 14, 2010

Respectfully Submitted,
/s/ Jack Fitzgerald
Jack Fitzgerald

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**Counsel for Plaintiffs and the
Proposed Classes**