

1 **BECK & LEE BUSINESS TRIAL LAWYERS**  
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7 **Attorneys for Plaintiffs and the Proposed Classes**

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

10 CATS AND DOGS ANIMAL HOSPITAL,  
 11 INC.; ASTRO APPLIANCE SERVICE;  
 12 BLEEDING HEART, LLC; CALIFORNIA  
 FURNISHINGS, INC.; CELIBRÉ, INC.; J.L.  
 13 FERRI ENTERTAINMENT, INC.; LE  
 PETITE RETREAT DAY SPA, LLC; SAN  
 14 FRANCISCO BAY BOAT CRUISES, LLC;  
 WAG MY TAIL, INC.; and ZODIAC  
 15 RESTAURANT GROUP, INC., on behalf of  
 themselves and all others similarly situated,  
 16  
 Plaintiffs,  
 17 v.  
 18 YELP! INC.,  
 19 Defendant.

CASE NO. 10-CV-02351 MHP  
 Pleading Type: Class Action  
 Action Filed: February 23, 2010

**STATEMENT OF WITHDRAWAL  
 OF MOTION FOR APPOINTMENT  
 OF BECK & LEE AS INTERIM  
 CLASS COUNSEL**

20 BORIS Y. LEVITT, on behalf of himself and  
 21 all others similarly situated,  
 22 Plaintiff,  
 23 v.  
 24 YELP! INC.; and DOES 1 through 100,  
 inclusive,  
 25 Defendants.  
 26

Case No. 10-CV-01321 MHP  
 Judge: Hon. Marilyn Hall Patel

1 Beck & Lee Business Trial Lawyers (“Beck & Lee”) hereby withdraws its motion for  
2 appointment of Beck & Lee as co-lead interim class counsel with The Weston Firm (“Weston”)  
3 [D.E. 65-1, 86]. Shortly after Weston and Beck & Lee filed their supplemental memorandum in  
4 support of their lead counsel application on July 26, 2010 [D.E. 86], Beck & Lee’s attorneys,  
5 Elizabeth Lee Beck and Jared Beck, received information that Weston improperly recruited a  
6 class action plaintiff through offer of a “kickback” and employment of a runner/capper. Before  
7 Beck & Lee could complete its investigation of the truth and scope of Weston’s practices, on  
8 August 12, 2010, Weston abruptly and without prior notice or explanation announced it was  
9 terminating the firms’ written joint prosecution agreement and, the same day, sued Beck & Lee  
10 and another co-counsel law firm, Reese Richman LLP, in the Southern District of California.  
11 The facts of these events are set forth in the following papers which Beck & Lee filed earlier  
12 today in *Red et al. v. Unilever United States, Inc. et al.*, No. 5:10-cv-00387-JW (N.D. Cal.)<sup>1</sup> and  
13 are attached hereto:

- 14
- 15 • Beck & Lee Business Trial Lawyers’ Opposition to Notice of Termination of
- 16 Beck & Lee and Reese Richman LLP by Plaintiffs Evangeline Red, Jennifer Red,
- 17 and Rachel Whitt and [Proposed] Order (**Exhibit 1** hereto);
- 18 • Declaration of Elizabeth Lee Beck in Support of Beck & Lee Business Trial
- 19 Lawyers’ Opposition to Notice of Termination of Beck & Lee and Reese
- 20 Richman LLP by Plaintiffs Evangeline Red, Jennifer Red, and Rachel Whitt and
- 21 [Proposed] Order (**Exhibit 2** hereto);
- 22 • Declaration of Jared H. Beck in Support of Beck & Lee Business Trial Lawyers’
- 23 Opposition to Notice of Termination of Beck & Lee and Reese Richman LLP by
- 24 Plaintiffs Evangeline Red, Jennifer Red, and Rachel Whitt and [Proposed] Order
- 25 (with attachments) (**Exhibit 3** hereto); and
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27 <sup>1</sup> Beck & Lee is in the process of preparing similar filings for all of the pending class actions  
28 covered by the firms’ joint prosecution agreement.

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- Notice of Filing Declaration of Alejandro Gutierrez in Support of Beck & Lee Business Trial Lawyers' Opposition to Notice of Termination of Beck & Lee and Reese Richman LLP by Plaintiffs Evangeline Red, Jennifer Red, and Rachel Whitt and [Proposed] Order (**Exhibit 4** hereto).

While Beck & Lee presently represents a number of putative class members in this case (who did not originally retain Weston), and is still able to serve as class counsel, it cannot do so with Weston.

DATED: August 18, 2010

Respectfully Submitted,  
  
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/s/Jared H. Beck  
Jared H. Beck

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LAWYERS**  
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**Counsel for Plaintiffs and the Proposed  
Classes**