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Attorneys for Defendant
 YELP INC. (F/K/A YELP! INC.)

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IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

VARIANT HOLDINGS LLC and
 VARIANT, INC.,

Plaintiffs,

v.

YELP! INC.

Defendant.

Case No. 4:13-cv-05298-PJH

**JOINT STIPULATION OF CONDITIONAL
 DISMISSAL**

Judge: Hon. Phyllis J. Hamilton

Plaintiffs Variant Holdings, LLC and Variant, Inc. and Defendant Yelp Inc., by and through their respective attorneys, hereby file this stipulated conditional dismissal.

The parties, in good faith, agree and believe that an agreement in principle has been reached, and will be put into written form within thirty (30) days. Therefore, in an effort to minimize judicial resources and to minimize the expenses and costs to the parties, it is hereby stipulated that:

1. This action be conditionally dismissed without prejudice for thirty (30) days from the Order signed by the Court, each party bearing its own fees and costs.
2. During the aforementioned thirty (30) day period, either party may request the Court to reopen the case.

Further, a Case Management Conference has been scheduled for February 27, 2014, at 2:00 p.m., in Courtroom 3, 3rd Floor, Federal Building, 1301 Clay Street, Oakland, California. With this

1 Stipulation for Conditional Dismissal, the parties also request that said Case Management Conference be
2 vacated.

3 For the foregoing reasons, the parties request the Court to accept this Stipulation and Proposed
4 Order as submitted.

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6 Dated: February 20, 2014

COLLINS, EDMONDS & POGORZELSKI, PLLC

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8 By: /s/ John J. Edmonds (with permission)
JOHN J. EDMONDS

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10 Attorneys for Plaintiffs
Variant Holdings LLC and Variant, Inc.

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12 Dated: February 20, 2014

DURIE TANGRI LLP

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14 By: /s/ Jesse Geraci
DARALYN J. DURIE
JESSE GERACI

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16 Attorneys for Defendant
Yelp Inc.

17 IT IS SO ORDERED:

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19 Dated: 2/21/14

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21 HON. PHYLLIS J. HAMILTON, U.S. DISTRICT JUDGE



1 **CERTIFICATE OF ATTESTATION**

2 I, Jesse Geraci, attest that concurrence in the filing of this stipulation has been obtained from John
3 Edmonds, the other signatory to the document.

4 _____
5 */s/ Jesse Geraci*
6 **JESSE GERACI**

7 **CERTIFICATE OF SERVICE**

8 I certify that all counsel of record is being served on February 20, 2014 with a copy of this
9 document via the Court’s CM/ECF system.

10 _____
11 */s/ Jesse Geraci*
12 **JESSE GERACI**