

**CAUSE NO. 219-04483-2014**

**JEREMY WAGES and THE RHODES  
TEAM,**

**Plaintiffs,**

**v.**

**LIN L.,**

**Defendant.**

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**IN THE DISTRICT COURT**

**219<sup>TH</sup> JUDICIAL DISTRICT**

**COLLIN COUNTY, TEXAS**

**ORDER**

ON THIS DAY, came on to be heard Plaintiffs' Motion to Compel and for Sanctions against Non-Party Yelp Inc., in the above-styled and numbered cause. After considering Plaintiffs' motion, Yelp Inc.'s Special Appearance, Yelp Inc.'s Opposition to Motion to Compel, and Memorandum in Support of Special Appearance, the supplemental briefing requested by the Court, the evidence before the Court, and the parties' arguments, the Court finds that Plaintiffs' Motion to Compel and for Sanctions should be, in all things, denied, and that Plaintiffs' subpoena to Yelp Inc. should be quashed.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED, that Plaintiffs' Motion to Compel and for Sanctions is denied.

IT IS FURTHER ORDERED, ADJUDGED and DECREED, that Nonparty Yelp Inc.'s Special Appearance is overruled.

IT IS FURTHER ORDERED, ADJUDGED and DECREED, that Plaintiffs' subpoena to Yelp Inc., dated November 7, 2014, is quashed.

SIGNED THIS 11th day of February, 2015.

  
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JUDGE PRESIDING

APPROVED AS TO FORM ONLY:

 2/10/15

Robert D. Wilson  
State Bar No. 00789823  
Law Offices of Robert D. Wilson, PC  
18111 Preston Road, Suite 150  
Dallas, Texas 75252  
(214)637-8866  
(214)637-2702/facsimile  
Rwilson@wilsonlawtexas.com

ATTORNEYS FOR PLAINTIFFS

Paul Alan Levy (pro hac vice)

Public Citizen Litigation Group  
1600 20th Street NW  
Washington, D.C. 20009  
(202) 588-1000  
plevy@citizen.org

/s/ Jim McCown

James M. McCown  
State Bar No. 00788002

Nesbitt, Vassar & McCown, L.L.P.  
15851 Dallas Parkway, Suite 800  
Addison, Texas 75001  
(972) 371-2420 - direct dial  
(972) 371-2410 - facsimile  
jmccown@nvmlaw.com

ATTORNEYS FOR NONPARTY YELP INC.

Judge Scott Becker  
On Behalf Of District Court 219th  
Sent: Tuesday, February 10, 2015 11:47 AM  
To: Jim McCown  
Cc: [Robert Wilson]  
Subject: RE: Cause No. 219-04483-2014 - Wages v. Lin L.

Counsel:

After reviewing the arguments the Court rules as follows:

The Special Appearance is DENIED. The language of TRCP 120a applies to “parties”. As Yelp is not a “party” in this matter, it is not afforded the protections of TRCP 120a.

To the extent Yelp seeks to quash the subpoena based upon improper/defective service, that request is GRANTED.

Mr. McCown is instructed to prepare orders reflecting these rulings, obtain opposing counsel’s signature as to form, and then e-file the same for the Court’s signature asap. Thank you for your attention to this matter.