

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

VICKI L. PINERO, individually and on)	Civil Action No. 08-03535
behalf of all others similarly situated,)	
)	Sec. R
Plaintiffs,)	JUDGE SARAH S. VANCE
)	
v.)	Mag. 3
)	MAGISTRATE JUDGE DANIEL E.
JACKSON HEWITT TAX SERVICE)	KNOWLES, III
INC.; JACKSON HEWITT INC.; and,)	
CRESCENT CITY TAX SERVICE,)	
INC. d/b/a JACKSON HEWITT TAX)	
SERVICE,)	
)	
Defendants.)	

MOTION FOR CLASS CERTIFICATION

NOW INTO COURT, through undersigned counsel and pursuant to Fed. R. Civ. P. 23(c)(1) and L.R. 23.1(B), comes plaintiff, Vicki L. Pinero (“Plaintiff”). Plaintiff requests the class be certified under Rule 23(b)(3) for some of her claims, *i.e.*, Counts 1-5 and 7-8. As explained in the attached supporting memorandum, Plaintiff’s class claims satisfy Rule 23(a)’s requirements of “numerosity,” “commonality,” “typicality,” and “adequacy of representation.” Further, Plaintiff’s class claims satisfy the “predominance” and

“superiority” requirements of Rule 23(b)(3). The Court, therefore, should grant Plaintiff’s motion and set a hearing to discuss the form and content of the class action notice to the class members.

WHEREFORE, considering the premises, Plaintiff requests that the Court grant her class certification motion and certify the class and claims requested and set a hearing to discuss the class notice.

Respectfully Submitted,

/s/ Bryan C. Shartle
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been forwarded to all counsel of record by email; by hand; by fax; by FedEx; by placing a copy of same in the U.S. Mail, postage prepaid this 22nd day of July 2008.

/s/ Bryan C. Shartle
Bryan C. Shartle

Attorneys for Plaintiff,
Vicki L. Pinero