

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.)	

PLAINTIFF VICKI L. PINERO’S EX PARTE MOTION TO AMEND DOCUMENT NUMBER 77

NOW INTO COURT, through undersigned counsel, comes plaintiff, Vicki L. Pinero, who moves this Court to amend Docket No. 77, by replacing the proposed pleading and Exhibit II referenced in Docket No. 77, with the attached proposed pleading and Exhibit II. The basis for this request to substitute is explained in plaintiff’s supplemental memorandum in support of Motion for Leave. See Docket No. 101. As discussed during the

April 1, 2009 hearing, plaintiff is attempting to avoid filing multiple amended complaints.

WHEREFORE, plaintiff prays that the attached documents be substituted in place of the proposed pleading and Exhibit II referenced in Docket No. 77.

Respectfully Submitted,

/s/ Bryan C. Shartle

David Israel (LSBA No. 7174) (T.A.)

Bryan C. Shartle (LSBA No. 27640)

Justin H. Homes (LSBA No. 24460)

SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.P.

3850 N. Causeway Blvd.

Lakeway II, Suite 200

Metairie, Louisiana 70002

Telephone: (504) 828-3700

Facsimile: (504) 828-3737

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been forwarded to all counsel of record by ECF; by email; by hand; by fax; by FedEx; by placing a copy of same in the U.S. Mail, postage prepaid this 7th day of April 2009.

/s/ Bryan C. Shartle
Bryan C. Shartle

Attorneys for Plaintiff,
Vicki L. Pinero