

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 FOR LEAVE TO FILE REPLY TO DEFENDANTS’ SUPPLEMENTAL MEMORANDUM IN OPPOSITION TO PLAINTIFF’S MOTION FOR LEAVE TO FILE THIRD AMENDED CLASS ACTION COMPLAINT

NOW INTO COURT, through undersigned counsel, comes plaintiff, Vicki L. Pinero, and pursuant to L.R. 7.4, moves this Court for leave to file a memorandum of law in reply to the arguments raised made by defendants, Jackson Hewitt Tax Service Inc. and Jackson Hewitt Inc. (jointly referred to as “Jackson Hewitt”), in their supplemental memorandum [Docket No. 105] filed in opposition to plaintiff’s Motion for Leave to File Third Amended Class

Action Complaint [Docket No. 77]. The proposed 5-page memorandum is attached hereto.

Plaintiff's proposed memorandum addresses Jackson Hewitt's improper reliance on out-dated case law, and will otherwise aid this Court's understanding and disposition of the matters presently in dispute.

WHEREFORE, plaintiff prays for an order granting plaintiff leave to file the attached reply memorandum in response to the arguments raised by Jackson Hewitt in its supplemental memorandum in opposition to plaintiff's Motion for Leave to File Third Amended Class Action Complaint.

Respectfully Submitted,

/s/ Bryan C. Shartle

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

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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 ECF; by email; by hand; by fax; by FedEx; by placing a copy of same in the U.S. Mail, postage prepaid this 9th day of April 2009.

/s/ Bryan C. Shartle

Bryan C. Shartle

Attorneys for Plaintiff,

Vicki L. Pinero