

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF LOUISIANA**

VICKI L. PINERO, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

JACKSON HEWITT TAX SERVICE  
INC.; JACKSON HEWITT INC.; and,  
CRESCENT CITY TAX SERVICE, INC.  
d/b/a JACKSON HEWITT TAX  
SERVICE,

Defendants.

**CASE NO.: 08-3535**

**SECTION R**

**JUDGE  
SARAH VANCE**

**MAGISTRATE JUDGE  
DANIEL E. KNOWLES**

**CONSENT MOTION TO CONTINUE AND RESCHEDULE HEARING**

NOW INTO COURT, through undersigned counsel, come defendants, Jackson Hewitt Tax Service Inc. and Jackson Hewitt Inc. (collectively "Jackson Hewitt"), who move to continue and reschedule the hearing currently scheduled for April 29, 2009 before Magistrate Judge Daniel E. Knowles.

1. On April 20, 2009, the Court set oral argument on Plaintiff's *Ex Parte* Motion to Amend Document Number 77 for April 29, 2009, at 11:00 a.m.
2. Due to a scheduling conflict, counsel for Jackson Hewitt respectfully requests that the court continue the hearing to May 13, 2009, at 11:00 a.m.
3. All parties, including counsel for the Plaintiff, Vicki L. Pineró, and counsel for Crescent City Tax Service, Inc., have agreed to this request and have no objection to the rescheduling of the hearing to May 13, 2009.
4. This is the first requested continuance of the hearing on the above-referenced motion.

5. A short continuance of this hearing should not unduly delay trial or the prompt resolution of this matter.

For these reasons, Jackson Hewitt prays that its Consent Motion to Continue the Hearing be granted, and that the hearing be adjourned to Wednesday, May 13, 2009, at 11:00 a.m.

Respectfully submitted,

Dated: April 23, 2009

/s/Glenn M. Farnet  
Glenn M. Farnet (#20185)  
Gina D. Banks (#27440)  
KEAN, MILLER, HAWTHORNE, ARMOND,  
McCOWAN & JARMAN, L.L.P.  
One American Place, 18th Floor  
Post Office Box 3513 (70821)  
Baton Rouge, Louisiana 70825  
Telephone: (225) 387-0999

AND

KELLEY DRYE & WARREN LLP  
Donna L. Wilson (pro hac vice)  
Andrew S. Wein (pro hac vice)  
Veronica D. Gray (pro hac vice)  
3050 K Street, NW, Suite 400  
Washington, DC 20007  
Telephone: (202) 342-8400

Attorneys for Jackson Hewitt Tax Service Inc. and  
Jackson Hewitt Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on April 23, 2009, a copy of the foregoing Motion and Proposed Order have been served upon counsel for all parties by electronic means and filed electronically with the Clerk of Court using the CM/ECF system.

/s/Glenn M. Farnet