

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 SUPPLEMENTAL MEMORANDUM IN SUPPORT OF PLAINTIFF’S MOTION FOR  
DE NOVO REVIEW OF APRIL 21, 2009 DISPOSITIVE MAGISTRATE RULING**

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 short memorandum supplementing plaintiff’s Motion for *De Novo* Review of April 21, 2009 Dispositive Magistrate Ruling [Docket No. 121]. The proposed 4-page memorandum is attached hereto.

Plaintiff seeks leave to supplement her previous memoranda because a controlling case has been identified relating to the ruling the subject of appeal. Plaintiff requests leave to

file her short supplemental brief to address the significance of this case and its affect on the timeliness of the claim plaintiff seeks to assert in her proposed amended complaint.

WHEREFORE, plaintiff prays for an order granting her leave to file the attached supplemental memorandum in support of plaintiff's motion for *de novo* review of the April 21, 2009 ruling issued by Magistrate Judge Daniel E. Knowles, III.

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 13th day of August 2009.

/s/ Bryan C. Shartle  
Bryan C. Shartle

Attorneys for Plaintiff,  
Vicki L. Pinero