

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**VICKI PINERO, individually and on behalf of all
other 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, III**
§

**ACE CASH EXPRESS, INC.’S MOTION FOR PROTECTIVE ORDER
AND MOTION TO QUASH**

Ace Cash Express, Inc. (“ACE”), a non-party to the above-described action, pursuant to Federal Rules of Civil Procedure 26 and 45, respectfully moves this Court for entry of a protective order against a subpoena duces tecum (the “Subpoena”) served by Plaintiff, Vicki L. Pinero, and an order quashing the Subpoena.

This motion seeks a protective order, and where applicable, an order quashing, the Subpoena served by Plaintiff, Vicki L. Pinero, upon ACE. The grounds upon which ACE seeks relief are set forth in the accompanying Memorandum of Law. Specifically, the discovery requested is unduly

burdensome, would be duplicative of discovery that can be obtained from Defendant, Jackson Hewitt, Inc. (“JHI”) and/or Jackson Hewitt Tax Service, Inc. (“JHTSI”), and would reveal trade secrets and other confidential and proprietary information belonging to ACE. In addition, JHI and/or JHTSI have filed a separate Motion to Quash and for Protective Order requesting that the Court quash the Subpoena, which is currently pending before the Court and set for hearing on September 9, 2009. ACE has made a good faith, unsuccessful effort to resolve this matter with Plaintiff’s counsel, thereby necessitating the filing of this motion.

For these reasons, ACE prays that its motion be granted for protective order and/or to quash the Subpoena.

Respectfully submitted,

**CHOPIN, WAGAR, RICHARD
& KUTCHER, L.L.P**

BY: /s/ Jason P. Foote
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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of September 2009, a copy of the foregoing and all documents filed in support were electronically filed with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent by operation of the Court’s electronic filing system to counsel of record for Plaintiff and Defendants.

 /s/ Jason P. Foote