

**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

RULE 37 CERTIFICATE

Undersigned counsel for Movant, ACE Cash Express, Inc. (“ACE”), a non-party to the above-described action, hereby certifies that on August 31, 2009, Matthew R. Miller, additional counsel for ACE working in conjunction with undersigned counsel, attempted to place a telephone call to counsel for Vicki Pinero, attempting to confer on ACE’s Motion for Protective Order and Motion to Quash. Because ACE’s response was due on August 31, 2009, counsel for ACE and counsel for Plaintiff were unable to resolve all issues prior to the deadline for ACE’s compliance. Accordingly, this matter is hereby submitted for the Court’s determination.

Respectfully submitted,

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

BY: /s/ Jason P. Foote

JASON P. FOOTE (La. Bar #25050)

3850 N. Causeway Blvd., Ste. 900

Two Lakeway Center

Metairie, Louisiana 70002

Telephone: (504) 830-3838

Facsimile: (504) 836-9579

Attorney for Defendant, Ace Cash Express

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