

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

<b>VICKI PINERO, individually and on behalf of all other similarly situated,</b>	§	<b>CASE NO.: 08-3535</b>
	§	
<b>Plaintiff,</b>	§	
	§	<b>SECTION R</b>
<b>v.</b>	§	
	§	<b>JUDGE</b>
<b>JACKSON HEWITT TAX SERVICE INC.;</b>	§	<b>Sarah Vance</b>
<b>JACKSON HEWITT INC.; and CRESCENT</b>	§	
<b>CITY TAX SERVICE, INC. d/b/a JACKSON</b>	§	
<b>HEWITT TAX SERVICE</b>	§	<b>MAGISTRATE JUDGE</b>
	§	<b>Daniel E. Knowles</b>
<b>Defendants.</b>	§	

**MEMORANDUM IN SUPPORT OF MOTION FOR EXPEDITED HEARING**

**MAY IT PLEASE THE COURT:**

As this Court is well aware, Plaintiff, Vicki Pinero (“Pinero”), served approximately ten (10) identical subpoenas duces tecum on non-parties to the above described case. Among the non-parties receiving subpoenas duces tecum was ACE Cash Express, Inc. (“ACE”). All parties receiving subpoenas duces tecum filed motions to quash, motions for protective orders, and/or objections to the requests. Defendants, Jackson Hewitt Tax Service Inc. (“JHTSI”) and Jackson Hewitt, Inc. (“JHI”), filed a Motion for Protective Order and Motion to Quash all of the subpoenas duces tecum, as well as additional discovery served on JHTSI and JHI. JHTSI and

JHI's motion is currently set for hearing on September 9, 2009, at 11:00 a.m. JHTSI and JHI's motion is nearly identical to ACE's motion, and if JHTSI and JHI's are successful, then ACE's motion would become moot as the subpoena duces tecum served on ACE would be quashed.

Accordingly, in order to avoid waste of judicial resources by having two hearings on the same matter, ACE requests that the Court set ACE's motion to quash and for protective order at the same time as JHTSI and JHI's motion for protective order and to quash. Clearly, there will be no prejudice or harm to Plaintiff or any other party by having this hearing at the same time as the hearing previously set. Accordingly, ACE prays that this Court schedule its Motion for expedited hearing on September 9, 2009, at 11:00 a.m.

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 3<sup>rd</sup> 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