

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.)	

**EX PARTE MOTION FOR LEAVE TO FILE OPPOSITION
MEMORANDUM IN EXCESS OF LR7.8E PAGE LIMITATION**

COMES NOW Plaintiff, Vicki L. Pinero, and requests leave to file a memorandum in excess of 25 pages in length in response to the motions to dismiss and strike submitted by defendants Jackson Hewitt Tax Service Inc., Jackson Hewitt Inc., and Crescent City Tax Service, Inc. d/b/a Jackson Hewitt Tax Service [Docket Entry Nos. 20 and 18]. Both motions are currently set for oral argument on November 12, 2008. Plaintiff’s memorandum in opposition to the defendants’ motions involves an analysis of numerous and complex issues of

Louisiana state law and federal law. Plaintiff will not be able to adequately respond to each of the issues raised by defendants' motions if constrained by the default 25 page limitation provided by LR7.8E. In order for plaintiff to properly address all of approximately a dozen discrete legal issues and provide this Court with an accurate and comprehensive understanding of the reasons why the defendants' motions should be denied, plaintiff seeks leave to file an opposition memorandum not exceeding 32 pages in length.

WHEREFORE, Plaintiff, Vicki L. Pinero, prays for an order granting her leave to file a memorandum in opposition to the defendants' motions to dismiss and strike [Docket Entry Nos. 20 and 18] not exceeding 32 pages in length.

Respectfully Submitted,

/s/ Bryan C. Shartle

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Attorneys for Plaintiff and the Class Members,
Vicki L. Pinero

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 21st day of October 2008.

/s/ Bryan C. Shartle
Bryan C. Shartle