

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA

VICKI L. PINERO, individually and on]	CIVIL ACTION 08-3535
behalf of all others similarly situated,]	
]	SECTION R
Plaintiffs]	JUDGE SARAH S. VANCE
]	
VERSUS]	MAG. 3
]	
JACKSON HEWITT TAX SERVICE]	
INC.; JACKSON HEWITT INC.; and]	
CRESCENT CITY TAX SERVICE,]	
INC. D/B/A JACKSON HEWITT TAX]	
SERVICE,]	
]	
Defendants]	

**JOINT MEMORANDUM IN SUPPORT OF
MOTION TO COMPEL INSPECTION OF DOCUMENTS**

MAY IT PLEASE THE COURT:

Crescent City Tax Service, Inc., d/b/a Jackson Hewitt Tax Service and Jackson Hewitt, Inc., are defendants in a class action lawsuit. The suit arises out of a group of Jackson Hewitt’s tax records which were apparently discarded and later recovered from a commercial dumpster. The records were originally given to television reporter Richard Angelico, who then turned them over to the Jefferson Parish Sheriff’s Office as evidence for their ongoing investigation into how the documents came to be located in the dumpster.

In order to identify the persons whose records were discarded, and to otherwise assess, prosecute and defend the case, the parties need access to the documents for inspection and copying. Defendant issued a subpoena to the Sheriff's Office, returnable last week, but the Sheriff's Office refuses to voluntarily comply with the subpoena, and, through its attorney, has requested that defendant present it with a Court order allowing the inspection and copying so as to protect the Sheriff's Office from any claims by the people who are identified in the Jackson Hewitt documents that the Sheriff's Office should not have allowed Jackson Hewitt to view and photocopy said documents.

Counsel for plaintiffs has been advised of the issuance of the subpoena, and also desires access to the documents. Review of the documents is necessary for timely progression of the civil matter currently pending before this Court.

WHEREFORE, the parties propose that the Court enter the attached Order without delay.

Respectfully submitted:

BLUE WILLIAMS, L.L.P.

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CERTIFICATE OF SERVICE

I do hereby certify that I have on October 28, 2008, electronically filed the foregoing with the Clerk of court by using the CM/ECF system which will send a notice of electronic filing to the following.

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I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM.ECF participants.

/s/ THOMAS G. BUCK
