

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.)	

**PLAINTIFF VICKI L. PINERO’S EX PARTE MOTION FOR LEAVE TO FILE REPLY TO
MEMORANDA IN OPPOSITION TO MOTION FOR CLASS CERTIFICATION**

NOW INTO COURT, through undersigned counsel, comes plaintiff, Vicki L. Pinero, and pursuant to L.R. 7.4, moves this Court for leave to file a memorandum of law in reply to the arguments raised by defendants, Jackson Hewitt Tax Service Inc., Jackson Hewitt Inc., and Crescent City Tax Service, Inc. d/b/a Jackson Hewitt Tax Service (jointly referred to as “Defendants”), in their opposition memoranda [Docket Nos. 32 and 36] to plaintiff’s Motion for Class Certification [Docket Nos. 10/12] presently set for hearing before the Honorable

Chief Judge Sarah S. Vance on November 12, 2008, at 10:00 A.M. The proposed 10-page memorandum is attached hereto.

Plaintiff's proposed memorandum addresses Defendants' mischaracterizations of plaintiff's class allegations and Defendants' misconceptions regarding applicable Fed. R. Civ. P. 23 requirements and will aid this Court's understanding and disposition of the matters presently in dispute.

WHEREFORE, plaintiff prays for an order granting plaintiff leave to file a 10-page memorandum in reply to the arguments raised by Defendants in their respective oppositions to plaintiff's class certification motion.

Respectfully Submitted,

/s/ Bryan C. Shartle

David Israel (LSBA No. 7174) (T.A.)

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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 11th day of November 2008.

/s/ Bryan C. Shartle

Bryan C. Shartle

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