

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA**

VICKI L. PINERO, individually and on
behalf of all others 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

CONSENT MOTION TO CONTINUE HEARING ON MOTIONS

Defendants, Jackson Hewitt Tax Service, Inc. and Jackson Hewitt Inc. (“Jackson Hewitt”) move to continue the hearing on Defendants’ Motion to Dismiss and Plaintiff’s Motion for Class Certification that was scheduled to proceed this morning, Wednesday, November 12, 2008 at 10:00 a.m. Due to an unexpected illness, counsel for Jackson Hewitt is unable to appear in Court to present arguments.

Plaintiff, through her counsel, and co-Defendant, Crescent City Tax Service, Inc. d/b/a Jackson Hewitt Tax Service, through its counsel, have been apprised of the situation and consent to this Motion to Continue.

The parties have conferred concerning a new hearing date that is mutually available for everyone, and the parties hereby request that this Court reset both hearings for Monday, November 24, 2008 at 10:00 a.m.

For these reasons, Jackson Hewitt prays that its Consent Motion to Continue be granted, and that the hearing on Defendants' Motion to Dismiss and Plaintiff's Motion for Class Certification be continued until Monday, November 24, 2008, at 10:00 a.m.

DATED: November 12, 2008

s/ Glenn M. Farnet

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Attorneys for Defendants
JACKSON HEWITT TAX SERVICE INC. and
JACKSON HEWITT INC.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on the 12th day of November, 2008, a copy of the foregoing Motion for Leave was 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 all counsel of record.

s/ Glenn M. Farnet