

**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**

LOCAL RULE 37.1 CERTIFICATE

Undersigned counsel for Defendants Jackson Hewitt Tax Service Inc. and Jackson Hewitt Inc. (collectively "Jackson Hewitt") hereby certifies that on February 9, 2009, he spoke with counsel to Plaintiff, Bryan Shartle, regarding the topics raised by this motion. Plaintiff would not agree to a stay of discovery in this matter. Despite good faith efforts, counsel have not been able to resolve these issues.

Respectfully submitted,

/s/ Andrew S. Wein

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Jackson Hewitt Inc.