

**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**

NOTICE OF MOTION

PLEASE TAKE NOTICE that Defendants Jackson Hewitt Tax Service Inc. and Jackson Hewitt Inc. will bring their Rule 12(b)(6) Motion to Dismiss Plaintiff's Second Amended Complaint for hearing before the Honorable Sarah S. Vance, United States District Court Judge, Eastern District of Louisiana, 500 Camp Street, New Orleans, Louisiana 70130, at 10:00 a.m. on the 4th day of March, 2009.

Date: February 9, 2009

By Attorneys:

/s/Veronica D. Gray

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Attorneys for Jackson Hewitt Tax Service Inc. and Jackson
Hewitt Inc.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on the 9th day of February, 2009, a copy of the foregoing 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 and U.S. Mail to counsel of record for Plaintiffs. A copy of this filing will also be sent via electronic mail and U.S. mail to counsel for Crescent City Tax Service, Inc.

/s/Veronica D. Gray