

**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**

REQUEST FOR ORAL ARGUMENT

NOW INTO COURT, through undersigned counsel and pursuant to L.R. 78.1, comes Defendants Jackson Hewitt Tax Service Inc. and Jackson Hewitt Inc. (collectively "Jackson Hewitt"). Jackson Hewitt has contemporaneously filed a Rule 12(b)(6) Motion to Dismiss Plaintiff's Second Amended Complaint. The Court should hear oral argument on Jackson Hewitt's motion. The lawsuit and motion involve complex legal matters. Oral argument would provide an opportunity for the parties to clearly state their position and assist the Court in addressing the related legal issues.

WHEREFORE, Jackson Hewitt requests that the Court grant its request for oral argument on the contemporaneously filed Rule 12(b)(6) Motion to Dismiss Plaintiff's Second Amended Complaint.

Date: February 9, 2009

Respectfully Submitted,

By Attorneys:

/s/Veronica D. Gray

Donna L. Wilson (Admitted *pro hac vice*)
Andrew S. Wein (Admitted *pro hac vice*)
Veronica D. Gray (Admitted *pro hac vice*)
KELLEY DRYE & WARREN LLP
3050 K Street, NW, Suite 400
Washington, DC 20007
Telephone: (202) 342-8400

AND

KEAN, MILLER, HAWTHORNE, D'ARMOND,
McCOWAN & JARMAN, L.L.P.
Glenn M. Farnet (#20185)
Gina D. Banks (#27440)
One American Place, 18th Floor
Post Office Box 3513 (70821)
Baton Rouge, Louisiana 70825
Telephone: (225) 387-0999

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