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.)

REQUEST FOR ORAL ARGUMENT

NOW INTO COURT, through undersigned counsel and pursuant to L.R. 78.1, comes plaintiff, Vicki L. Pinero. On February 10, 2009, plaintiff filed a Motion for Reconsideration. *See* Docket No. 66. The Court should hear oral argument on plaintiff's reconsideration motion based upon newly discovered evidence. The motion involves 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, plaintiff requests that the Court grant her request for oral argument on

the her Motion for Reconsideration.

Respectfully Submitted,

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been forwarded to all counsel of record \checkmark 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 February 2009.

/s/ Bryan C. Shartle Bryan C. Shartle <u>/s/ Bryan C. Shartle</u> David Israel (LSBA No. 7174) (T.A.) Bryan C. Shartle (LSBA No. 27640) Harold A. Aucoin (LSBA No. 02601) Justin H. Homes (LSBA No. 24460) SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.P. 3850 N. Causeway Blvd. Lakeway II, Suite 200 Metairie, Louisiana 70002 Telephone: (504) 828-3700 Facsimile: (504) 828-3737

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

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