

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

VICKI L. PINERO, <i>et al.</i> ,)	Civil Action No. 08-03535
)	
Plaintiffs,)	Sec. R
)	JUDGE SARAH S. VANCE
v.)	
)	Mag. 3
JACKSON HEWITT TAX SERVICE)	MAGISTRATE JUDGE DANIEL E.
INC., <i>et al.</i> ,)	KNOWLES, III
)	
Defendants.)	

MOTION FOR LEAVE TO FILE
THIRD AMENDED CLASS ACTION COMPLAINT

NOW INTO COURT, through undersigned counsel, comes plaintiff, Vicki L. Pinero (“Plaintiff”), who, pursuant to Fed. R. Civ. P. 15(a), moves this Court for leave to amend her class action complaint against defendants, Jackson Hewitt Tax Service Inc.; Jackson Hewitt Inc.; and, Crescent City Tax Service, Inc. d/b/a Jackson Hewitt Tax Service (jointly referred to as “Defendants”). Specifically, Plaintiff seeks leave to amend her complaint to assert a new claim and related facts for Defendants’ violations of La. Rev. Stat. § 9:3572.1, *et seq.* A copy of the proposed Third Amended Class Action Complaint is attached hereto.

WHEREFORE, considering the foregoing, attached L.R. 7.6 Certificate, supporting memorandum, and proposed amended complaint, Plaintiff moves this Court for an order granting her leave to file her Third Amended Class Action Complaint.

Respectfully Submitted,

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been forwarded to all counsel of record by ECF; by email; by hand; by fax; by FedEx; by placing a copy of same in the U.S. Mail, postage prepaid this 26th day of February 2009.

/s/ Bryan C. Shartle
Bryan C. Shartle

/s/ Bryan C. Shartle
David Israel (LSBA No. 7174) (T.A.)
Bryan C. Shartle (LSBA No. 27640)
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,
Vicki L. Pinero