UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA

VICKI L. PINERO, individually and on behalf of all others similarly situated,	]	CIVIL ACTION 08-3535
	]	
	]	SECTION R
Plaintiffs	]	JUDGE SARAH S. VANCE
	]	
VERSUS	]	MAG. 3
	]	
JACKSON HEWITT TAX SERVICE INC.; JACKSON HEWITT INC.; and CRESCENT CITY TAX SERVICE, INC. D/B/A JACKSON HEWITT TAX SERVICE,	]	
	]	
Defendants	]	

CRESCENT CITY TAX SERVICE, INC., D/B/A JACKSON HEWITT TAX SERVICE'S MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT

NOW INTO COURT, through undersigned counsel, comes Crescent City Tax Service, Inc., d/b/a Jackson Hewitt Tax Service, (hereinafter "CCTSI"), who joins its co-defendant in moving for a dismissal of plaintiff's Second Amended Complaint under the provisions of F.R.C.P. 12(b)(6).

The amended complaint does not cure the deficiencies originally noted by the Court in plaintiff's original claim of fraudulent inducement and for damages under the Louisiana Unfair Trade Practices Act, and fails to state a claim for invasion of privacy. For these reasons, CCTSI prays that its motion be granted, and that plaintiff's complaint be dismissed, at its cost.

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CBQ3443

Respectfully submitted:

BLUE WILLIAMS, L.L.P.

/s/ THOMAS G. BUCK

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