

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.)	

**PLAINTIFF VICKI L. PINERO’S EX PARTE MOTION FOR LEAVE TO FILE
REPLY TO MEMORANDUM IN OPPOSITION TO MOTION FOR RECONSIDERATION**

NOW INTO COURT, through undersigned counsel, comes plaintiff, Vicki L. Pinero, and pursuant to L.R. 7.4, moves this Court for leave to file a memorandum of law in reply to the arguments raised by defendants, Jackson Hewitt Tax Service Inc. and Jackson Hewitt Inc. (jointly referred to as the “Jackson Hewitt Defendants”), in their opposition memorandum [Docket No. 82] to plaintiff’s Motion for Reconsideration [Docket No. 66] presently set for

hearing before the Honorable Judge Sarah S. Vance on April 1, 2009, at 10:00 A.M. The proposed memorandum is attached hereto.

Plaintiff's proposed memorandum addresses the Jackson Hewitt Defendants' improper description of the procedural history and will aid this Court's understanding and disposition of the matters presently in dispute.

WHEREFORE, plaintiff prays for an order granting plaintiff leave to file the attached reply memorandum in response to the arguments raised by Jackson Hewitt Defendants in their opposition to plaintiff's Motion for Reconsideration.

Respectfully Submitted,

/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

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 30th day of March 2009.

/s/ Bryan C. Shartle
Bryan C. Shartle

Attorneys for Plaintiff,
Vicki L. Pinero