

**UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Deborah Platt Majoras, Chairman**
 Pamela Jones Harbour
 Jon Leibowitz
 William E. Kovacic
 J. Thomas Rosch

In the Matter of)	
)	
)	
WHOLE FOODS MARKET, INC.,)	
a corporation,)	
)	Docket No. 9324
and)	
)	
WILD OATS MARKETS, INC.,)	
a corporation.)	

ORDER STAYING ADMINISTRATIVE PROCEEDINGS

On June 6, 2007, the Commission filed a complaint and motions for a temporary restraining order and a preliminary injunction against Respondents in the United States District Court for the District of Columbia. On June 7, 2007, the District Court issued a Temporary Restraining Order preventing Respondent Whole Foods Market, Inc., from consummating any acquisition of any stock, assets, or other interest, directly or indirectly, in Respondent Wild Oats Markets, Inc., pending the District Court’s decision on the Commission’s motion for a preliminary injunction.

On June 28, 2007, the Commission issued the complaint in this administrative action. The Commission retained adjudicative responsibility for the matter. Rule 3.42(a), 15 C.F.R. § 3.42(a). On July 17, 2007, the Respondents in this matter filed their respective Answers to the Complaint.

In light of the pendency of the federal court proceedings, the Commission, as a matter of discretion, has determined to stay these proceedings pursuant to Rule 3.51, 16 C.F.R § 3.51.

Accordingly,

IT IS ORDERED THAT this administrative proceeding is stayed pending the proceedings in the collateral federal district court case (Case Number 07-cv-01021-PLF) and further order of the Commission.

By the Commission.

Richard C. Donohue
Acting Secretary

ISSUED: August 07, 2007