

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JUN - 7 2007

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

FEDERAL TRADE COMMISSION,)
600 Pennsylvania Avenue, N.W.)
Washington, DC 20580)

Plaintiff,)

v.)

Civ. No. 07-cv-01021 - PLF

WHOLE FOODS MARKET, INC.,)
550 Bowie Street)
Austin, Texas 78703)

- and -)

WILD OATS MARKETS, INC.,)
1821 30th Street)
Boulder, Colorado 80301)

Defendants.)

██████████ TEMPORARY RESTRAINING ORDER


Pursuant to authority conferred by Section 13(b) of the Federal Trade Commission Act, 15 U.S.C. § 53(b), plaintiff, the Federal Trade Commission (the "Commission"), contends that defendant Whole Foods Market, Inc. ("Whole Foods") is violating or is about to violate Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, and Section 7 of the Clayton Act, 15 U.S.C. § 18, in that defendant Whole Foods is about to acquire the voting securities of Wild Oats Markets, Inc. ("Wild Oats"), and the Court having considered the consent motion for stipulated temporary restraining order pursuant to Section 13(b) of the Federal Trade Commission Act,

NOW THEREFORE IT IS ORDERED, pursuant to Section 13(b) of the Federal Trade Commission Act, defendant Whole Foods is temporarily restrained from consummating any acquisition of any stock, assets, or other interest, directly or indirectly, in Wild Oats, pending the

Court's ruling on the motion of the Commission for a preliminary injunction, and it is further,

ORDERED that defendant Whole Foods take any and all necessary steps to prevent any of its domestic or foreign agents, divisions, subsidiaries, affiliates, partnerships, or joint ventures from making any such acquisition.

ISSUED this 7th day of June, 2007, at 4:15 ~~am~~ p.m.


PAUL L. FRIEDMAN
United States District Judge

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing papers were served by emailing a copy to:

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Dated: June 7, 2007

A handwritten signature in black ink, appearing to read "Thomas H. Brock". The signature is written in a cursive style with a large, stylized initial "T".

Thomas H. Brock, Esq.