

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

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

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

The Commission issued the Administrative Complaint in this matter on June 27, 2007. On July 17, 2007, Respondent Whole Foods Market, Inc. and Respondent Wild Oats Markets, Inc. filed their respective Answers to the Complaint. On August 7, 2007, the Commission issued an Order Staying Administrative Proceedings. On August 8, 2008, the Commission issued an Order Rescinding Stay of Administrative Proceeding, Setting Scheduling Conference, and Designating Presiding Official. On August 26, 2008, Complaint Counsel filed a Motion to Amend Complaint to reflect a number of events that have transpired since the Complaint was issued. Counsel for the Respondents have advised that they do not intend to file an opposition to the Motion.

Upon consideration of the arguments made by Complaint Counsel in its Motion, the Commission has determined to amend the Administrative Complaint in a number of respects. Accordingly,

IT IS ORDERED THAT the Administrative Complaint the Commission issued in this matter on June 27, 2007, be, and it hereby is, amended to read as shown in the attached Amended Complaint; and

IT IS FURTHER ORDERED THAT Respondent Whole Foods Market, Inc. shall file its Answer to the Amended Complaint on or before September 26, 2008.

By the Commission.

Donald S. Clark
Secretary

ISSUED: September 8, 2008