

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

FEDERAL TRADE COMMISSION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 1:07-CV-01021 (PLF)
	)	
WHOLE FOODS MARKET, INC.,	)	
	)	
and	)	
	)	
WILD OATS MARKETS, INC.,	)	
	)	
Defendants.	)	
	)	

**[PROPOSED] ORDER**

Upon consideration of Defendants’ Motion to Strike Untimely Supplemental Expert Rebuttal Report, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that (1) the Supplemental Rebuttal Expert Report of Kevin M. Murphy, Ph.D., dated July 16, 2007, shall be stricken; and (2) all testimony relating to the Supplemental Rebuttal Expert Report of Kevin M. Murphy, Ph.D., dated July 16, 2007, shall be precluded and all testimony relating thereto, shall be stricken.

ENTERED on this the \_\_\_ day of July , 2007.

\_\_\_\_\_  
Hon. Paul L. Friedman