

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

<hr/>		)	
FEDERAL TRADE COMMISSION,		)	
		)	
Plaintiff,		)	
		)	
v.		)	Civil Action No. 07-1021 (PLF)
		)	
WHOLE FOODS MARKET, INC.,		)	
		)	
and		)	
		)	
WILD OATS MARKETS, INC.,		)	
		)	
Defendants.		)	
<hr/>		)	

ORDER

Yesterday the Court issued a public order and a sealed opinion denying plaintiff Federal Trade Commission’s motion for a preliminary injunction, which sought to enjoin defendant Whole Foods Market, Inc. from acquiring defendant Wild Oats Markets, Inc. during the pendency of an administrative proceeding to be commenced by the FTC.

This matter is now before the Court on plaintiff’s motion for an injunction pending appeal of the Court’s order denying plaintiff’s motion for a preliminary injunction. In the alternative, the Commission requests that the Court issue an injunction pending a determination by the Court of Appeals on an application to the Court of Appeal for an injunction pending appeal.

The defendants have filed a joint memorandum in opposition, in which they note that the defendants have agreed in writing to a standstill agreement through noon on Monday,

