

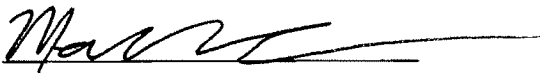
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

_____)	
FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	Case No.: 1:07-cv-01021-PLF
)	
v.)	
)	
WHOLE FOODS MARKET, INC.,)	
)	
Defendant.)	
_____)	

**PLAINTIFF FEDERAL TRADE COMMISSION’S STIPULATION
OF DISMISSAL WITH PREJUDICE**

On May 14, 2009, this Court ordered the Federal Trade Commission (“FTC”) and Whole Foods Market, Inc. (“Whole Foods”) to show cause by May 29, 2008 why this case should not be dismissed. Thereafter, on May 28, 2009, the FTC voted to approve final issuance of the consent order in this matter. Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the FTC hereby voluntarily dismisses this case with prejudice. Counsel for the defendant has stipulated to this dismissal.

Respectfully submitted,

By: 

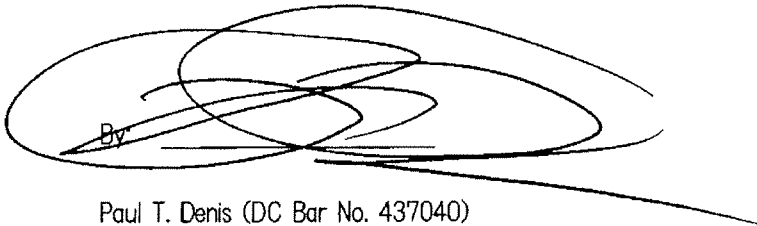
Matthew J. Reilly (DC Bar No. 457884)

Jeffrey Perry (DC Bar No. 465991)

Albert Y. Kim (DC Bar No. 466327)

Federal Trade Commission
601 New Jersey Avenue, N.W.
Washington, D.C. 20580
Telephone: (202) 326-2350
mreilly@ftc.gov

Counsel for Plaintiff,
Federal Trade Commission


By: _____

Paul T. Denis (DC Bar No. 437040)

Paul H. Friedman (DC Bar No. 290635)

Jeffrey W. Brennan (DC Bar No. 447438)

James A. Fishkin (DC Bar No. 478958)

Michael D. Farber (DC Bar No. 449215)

DECHERT LLP
1775 I Street, N.W.
Washington, D.C. 20006
Telephone: (202) 261-3300

Counsel for Defendant,
Whole Foods Market, Inc.

Of Counsel
Roberta Lang,
Vice-President of Legal Affairs
and General Counsel
Whole Foods Market, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 29, 2009, I filed the foregoing Stipulation of Dismissal With Prejudice with the clerk of the court.

I FURTHER CERTIFY that on such date I served the foregoing on the following counsel by electronic mail:

Paul Denis, Esq.
Paul Friedman, Esq.
Jeffrey Brennan, Esq.
James Fishkin, Esq.
Michael Farber, Esq.
Dechert LLP
1775 I Street, N.W.
Washington, D.C. 20006
paul.denis@dechert.com
paul.friedman@dechert.com
jeff.brennan@dechert.com
james.fishkin@dechert.com
michael.farber@dechert.com

Counsel for Defendant Whole Foods Market, Inc.

By: /s/ Matthew J. Reilly

Federal Trade Commission
601 New Jersey Avenue, N.W.
Washington, D.C. 20580
Telephone: (202) 326-2350
mreilly@ftc.gov