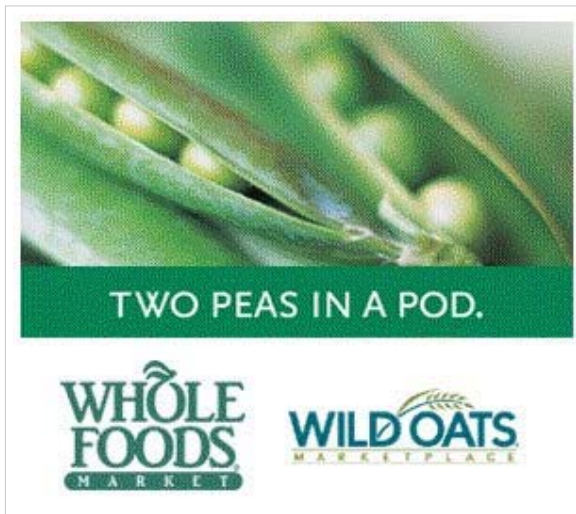


# Natural~Specialty Foods Memo

Natural~Specialty Foods Memo: News, Analysis, Insight and Opinion

Tuesday, March 31, 2009

## Retail Memo: The 'Legal Times' Offers A Legal Legacy of the FTC-Whole Foods' Settlement Agreement; We Offer an Antitrust Case Blast From the Past



### FTC v. Whole Foods Market, Inc. - Post Mortem

As regular readers of *Natural~Specialty Foods Memo* (NSFM) are aware, we've been reporting on and offering extensive analysis about the U.S. Federal Trade Commission (FTC) v. Whole Foods antitrust case, which ended on March 6, 2009 in a mutual settlement agreement signed off on by both the FTC and Whole Foods Market, Inc. [Regular and less than regular readers alike can [click here to view a recent bibliography of our FTC v. Whole Foods Market, Inc. coverage.](#)]

### Potential FTC-Whole Foods settlement legal legacy

In today's *Legal Times*, a professional legal trade journal, writer Jenna Green has an interesting piece about the potential legal legacy of the FTC-Whole Foods Market, Inc. antitrust settlement, in which the FTC dropped its nearly two year attempt to overturn the 2007 acquisition of then Wild Oats Markets Inc. by Whole Foods, in return for Whole Foods Market, Inc. (the combined Whole Foods-Wild Oats) agreeing on March 6, 2009 to sell 13 current operating stores, 19 closed stores, and the Wild Oats brand and related intellectual property.

As we've written, the agreement is much ado about nothing, as the net result of it actually is to only force Whole Foods to sell the 13 existing operating stores.

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