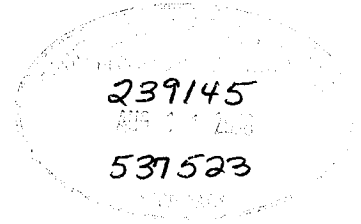


ORIGINAL

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION



In the Matter of)
)
WHOLE FOODS MARKET, INC.,)
)
a corporation,)
)
and)
)
WILD OATS MARKETS, INC.)
)
a corporation.)

Docket No. 9324

PUBLIC

**MOTION TO EXTEND THE DEADLINE FOR SUBMITTING A JOINT CASE
MANAGEMENT STATEMENT AND THE SCHEDULING CONFERENCE**

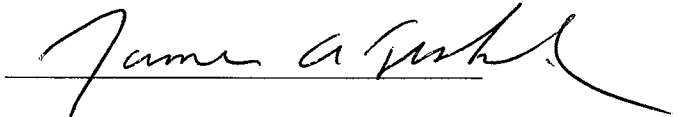
Late in the afternoon on Friday, August 8, 2008, with no advance notice, the Commission issued an Order rescinding the stay on this administrative proceeding that had been in effect since August 7, 2007. The Order requires the parties to meet and confer about the substance of the action and the most expeditious means of resolving this litigation and to file with the Commission a joint case management statement by Thursday, August 14, 2008. In addition, the Order has set a Scheduling Conference for Monday, August 18, 2008.

Respondent Whole Foods Market, Inc. hereby moves to extend the deadline for submitting a joint case management statement until Thursday, August 28, 2008 in order to allow its lead counsel to return from his family vacation out of the country and to allow Respondent's Counsel and Complaint Counsel to more effectively work together to submit a joint case management statement in compliance with the August 8, 2008 Order. The two-week time period contemplated by this motion is consistent with the Commission's May 14, 2008 Order Setting Scheduling Conference in *In the Matter of Inova Health System Foundation and Prince William Hospital System, Inc.* (Docket No. 9326).

Respondent Whole Foods Market, Inc. also seeks to move the date of the Scheduling Conference to either September 2, 2008 or such later date as may be necessary to accommodate the schedule of the Presiding Official.

Dated: August 11, 2008

Respectfully submitted,

By: 

Paul T. Denis
Paul H. Friedman
Jeffrey W. Brennan
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Attorneys for Whole Foods Market, Inc.

U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion To Extend The Deadline For Submitting A Joint Case Management Statement And The Scheduling Conference was served on August 11, 2008, upon the following persons:

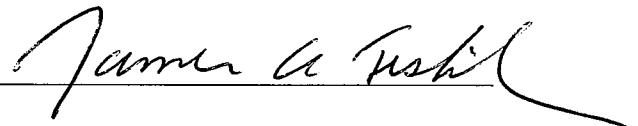
By Hand Delivery and Email:

Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW
Room H-135
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By First Class Mail and Email:

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