

Interlocutory Orders, Etc.

IN THE MATTER OF

**WHOLE FOODS MARKET, INC.,
AND
WILD OATS MARKETS, INC.**

Docket No. 9324 Order, March 6, 2009

Order issued by the Motions Commissioner.

ORDER WITHDRAWING MATTER FROM ADJUDICATION

The Commission has now accepted for public comment an Agreement Containing Consent Orders, including a proposed Decision and Order, which, if made final, would resolve this matter in its entirety. The Commission has therefore determined to withdraw this matter from adjudication, pursuant to Commission Rules 3.25(c),(e),(f), 16 C.F.R. §§ 3.25(c),(e),(f), effective at 5 p.m. today. Accordingly,

IT IS ORDERED THAT this matter be, and it hereby is, withdrawn from adjudication, effective at 5:00 p.m. Eastern Standard Time today.

By the Commission.

Interlocutory Orders, Etc.

IN THE MATTER OF

**CCC HOLDINGS INC.,
AND
AURORA EQUITY PARTNERS III L.P.***Docket No. 9334 Order March 13, 2009*

Order granting complaint counsel's and respondents' joint motion to dismiss
the complaint.

ORDER DISMISSING COMPLAINT

On November 25, 2008, the Federal Trade Commission issued the Administrative Complaint in this matter, having reason to believe that Respondents CCC Holdings Inc. ("CCC") and Aurora Equity Partners III L.P. ("Aurora") had entered into a merger agreement which, if consummated, would violate Section 5 of the Federal Trade Commission Act, as amended, 15 U.S.C. § 45, and Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18. Complaint Counsel and Respondents have now filed a Joint Motion to Dismiss Complaint in this matter. The Joint Motion states that Respondents have informed Complaint Counsel that they are abandoning the proposed merger; that CCC and Aurora have withdrawn their Hart-Scott-Rodino Notification and Report Forms filed for the proposed transaction; and that the complaint is now moot.¹

The Commission has determined to dismiss the Administrative Complaint without prejudice, as the most important elements of the relief set out in the Notice of Contemplated Relief in the Administrative Complaint have been accomplished without the need

¹ *Joint Motion to Dismiss Complaint* (March 12, 2009), available on the *Adjudicative Proceedings* page for this case at <http://www.ftc.gov/os/adjpro/d9334/index.shtm>.