

Exhibit 38 to Plaintiff's
Memorandum of Points and Authorities
in Support of Its Motion for Temporary
Restraining Order and Preliminary Injunction
(PX00233)

From: Will Paradise (RM HSO)
Sent: 01/02/2007
To: Thomas Rich (RM PRL)
Cc:
Bcc:
Subject: RE: stickler

?

From: Thomas Rich (RM PRL)
Sent: Tuesday, January 02, 2007 5:51 PM
To: Will Paradise (RM HSO)
Cc: Eva Clark (SW SWC); Tiffany Myers (RM HSO); Cathy Cochran-Lewis (RM HSO)
Subject: RE: stickler

Maybe increasing our bag refund to \$.25 per bag for a the month of March and April would be a good counter point. Although they could easily match that. Or, we could could give customers 10% off a purchase for recycling a Wild Oats bag at our store. Or we could could give a customer a free whole foods cloth bag for returning a wild oats cloth bag.

Thomas Rich

Store Team Leader

Whole Foods Market, Pearl

2905 Pearl Street

Boulder, CO 80301

(303) 545-6611 Store (ext 236)

(303) 545-6633 Fax

(720) 984-7300 Cell

""We are committed to humbly serving our Team Members in a positive, cooperative spirit...Encouraging growth, creativity, passion and excellence by always showing up in the truth.""

From: Will Paradise (RM HSO)
Sent: Tuesday, January 02, 2007 5:44 PM

PX00233-001

To: Thomas Rich (RM PRL); Tiffany Myers (RM HSO)
Subject: RE: stickler

Yes. He should have given his step down date after his time off. I think he did you a favor this way and I would honor his old wage. Tiff- your thoughts???

From: Thomas Rich (RM PRL)
Sent: Tuesday, January 02, 2007 5:29 PM
To: Will Paradise (RM HSO); Tiffany Myers (RM HSO)
Subject: stickler

Hate to be a stickler but since Hickok stepped down as of Saturday Dec 30th, shouldn't his time off (bene hours) be under his new wage?

TR

Thomas Rich
Store Team Leader
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