

WAIVER

Supreme Court of the United States

No. 25-7682

Dana Escoffier
(Petitioner)

v.

Whole Foods Market Group, Inc.
(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate box:

- ☒ I am filing this waiver on behalf of all respondents.
- ☐ I only represent some respondents. I am filing this waiver on behalf of:

Please check the appropriate box:

- ☒ I am a member of the Bar of the Supreme Court of the United States. (E-file signed waiver)
- ☐ I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Mail signed waiver to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

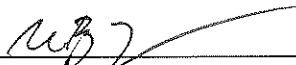
Corporate disclosure statement required by Rule 15.9 (or write N/A):

Respondent, Whole Foods Market Group, Inc. is wholly owned subsidiary of
Whole Foods Market, Inc., a Texas corporation. Whole Foods Market, Inc. is an indirect
wholly-owned subsidiary of Amazon, Inc. (traded on Nasdaq under the symbol AMZN)
Parties to the proceeding not identified by the petition (or write N/A):

N/A

Stock ticker symbols, if any, for parties, corporations, or companies listed above (or write N/A):

AMZN

Signature  Date: 7/24/26

(Type or print) Name Mitchell B. Levine
☒ Mr. ☐ Ms. ☐ Mrs. ☐ Miss

Firm Fishman McIntyre Levine Samansky PC

Address 521 Fifth Ave, 17th Floor

City & State New York, New York Zip 10175

Phone 212 461 7190 Email mitch@fishmanmcintyre.com

A COPY OF THIS FORM MUST BE SENT TO PETITIONER. NO ADDITIONAL CERTIFICATE OF SERVICE OR COVER LETTER IS REQUIRED.

cc:

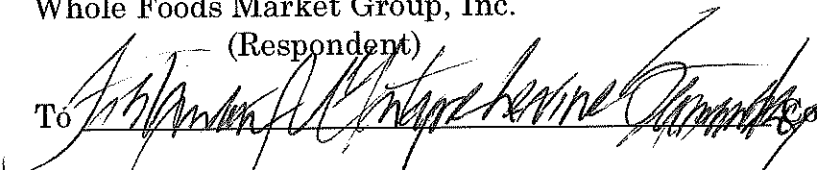
Supreme Court of the United States

Dana Escoffier
(Petitioner)

v.

No. 25-7682

Whole Foods Market Group, Inc.
(Respondent)

To  Counsel for Respondent:

NOTICE IS HEREBY GIVEN pursuant to Rule 12.3 that a petition for a writ of certiorari in the above-entitled case was filed in the Supreme Court of the United States on April 15, 2026, and placed on the docket June 26, 2026. Pursuant to Rule 15.3, the due date for a brief in opposition is Monday, July 27, 2026. If the due date is a Saturday, Sunday, or federal legal holiday, the brief is due on the next day that is not a Saturday, Sunday or federal legal holiday.

If a respondent determines that no brief in opposition or support will be filed, it is encouraged to file a waiver of the right to file. Where a respondent is a nongovernmental corporation and it has a parent corporation or a publicly held company owns 10% or more of the corporation's stock, it is required to either file a brief in opposition or a waiver, and the filing must include the information required by Rule 29.6. Rule 15.9. Unless the Solicitor General of the United States represents the respondent, a waiver form is enclosed and should be sent to the Clerk only in the event you do not intend to file a response to the petition.

Parties represented by counsel must submit filings through the Supreme Court's electronic filing system. Electronic filing is in addition to the existing paper filing requirements. Attorneys must register for the system in advance, and the registration process may take several days. Further information about the system can be found at <https://www.supremecourt.gov/filingandrules/electronicfiling.aspx>.

Only counsel of record will receive notification of the Court's action in this case. Counsel of record must be a member of the Bar of this Court.

Mr. Dana Escoffier
523 Hudson Street
#4FS
New York, NY 10014
(212) 675-3836

NOTE: This notice is for notification purposes only, and neither the original nor a copy should be filed in the Supreme Court.