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Market Information Services Section  
New Zealand Exchange Limited

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ASX Limited

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31 January 2008

**THE WAREHOUSE GROUP LIMITED**

**High Court grants Commerce Commission leave to appeal**

The High Court of New Zealand today granted the Commerce Commission leave to appeal the judgement granting clearance for both Woolworths and Foodstuffs to acquire up to 100% of the shares in, or assets of, The Warehouse Group.

However, the Court declined the Commission's application to suspend the effect of the clearances pending the Court of Appeal's decision, conditional on Woolworths and Foodstuffs filing and serving undertakings that no acquisition pursuant to the clearance will take place on or before the end of February 2008.

No date has been set down for the appeal hearing, but it is a condition of the leave that the appeal be prosecuted urgently.

**ENDS**