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Filed 09/17/2007 Page 1 of 8

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Attorneys for Plaintiff, The SCO Group, Inc.

# UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

THE SCO GROUP, INC., A Delaware corporation,	) ) )
Plaintiff, v. AUTOZONE, INC., A Nevada corporation,	) ) ) ) Docket No.: 2:04-CV-237-RCJ-(LRL) )
Defendant	) ) )

# **NOTICE OF FILING FOR BANKRUPTCY**

PLEASE TAKE NOTICE that on September 14, 2007, The SCO Group, Inc. along with various other affiliates (collectively referred to herein as the "Debtors") filed a petition under chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the District of Delaware (the "Petitions"). The SCO Group, Inc., one of the Debtors, has been named as defendant or other parties in the above-captioned matter. The face pages of Debtor's Petition is attached hereto as Exhibit A.

PLEASE TAKE FURTHER NOTICE that as a result of the pendency of the Debtors' bankruptcy cases and the application of 11 U.S.C. § 362(a)(1), the commencement or continuation of judicial proceedings against the Debtors to pursue prepetition obligations was automatically stayed. The automatic injunction granted by 11 U.S.C. § 362(a) will remain in effect until the bankruptcy case is dismissed or closed or until such earlier times as set forth in 11 U.S.C. § 362(c), (d), (e) and (f).

PLEASE TAKE FURTHER NOTICE that contempt proceedings may be initiated against any party who participates in any violation of the automatic stay, and, pursuant to the provisions of the Bankruptcy Code, the Bankruptcy Court may award actual damages, including costs and attorneys' fees (and, in appropriate circumstances, punitive damages) to compensate the Debtors for loss arising out of violations of the automatic stay.

**WHEREFORE**, the Debtors therefore request that the above-entitled case be taken off the Court's active calendar pending resolution of the Debtors' bankruptcy cases.

Dated: September 17, 2007 BOIES, SCHILLER & FLEXNER LLP

/s/ Richard J. Pocker

Richard J. Pocker (Bar No. 3568)

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# Exhibit A

# **Open New Voluntary Bankruptcy Case**

# U.S. Bankruptcy Court

Document 68

#### **District of Delaware**

### Notice of Bankruptcy Case Filing

The following transaction was received from Jones, Laura Davis entered on 9/14/2007 at 3:13 PM EDT and filed on 9/14/2007

Case Name:

SCO Operations, Inc.

Case Number:

07-11338

**Document Number: 1** 

#### **Docket Text:**

Chapter 11 Voluntary Petition of SCO Operations, Inc., Fee Amount \$1039, Filed by SCO Operations, Inc.. (Attachments: # (1) Board Resolutions# (2) Certification and List of 20 Largest Unsecured Claims# (3) Certification and List of Equity Security Holders# (4) Corporate Ownership Statement# (5) Certification and Creditor Matrix) (Jones, Laura Davis)

The following document(s) are associated with this transaction:

**Document description:** Main Document Original filename:X:\VAP\pet2.pdf

**Electronic document Stamp:** 

[STAMP bkecfStamp ID=983460418 [Date=9/14/2007] [FileNumber=5869496-0] [97f16ac46e7714a6a74f5124924411f163c45c626f0c27c66eef10f02de1d21ee3e4 a230168de74cd623fce25d1016e6e7ff1688d80e1a0a30aea6b1b82a8e24]]

**Document description:** Board Resolutions

Original filename: X:\VAP\res2.pdf

**Electronic document Stamp:** 

[STAMP bkecfStamp ID=983460418 [Date=9/14/2007] [FileNumber=5869496-1] [91d804a8723bf9129f1ce7c7bd9456fe312f670dcf00cabfbd4b738ee0ed5432a463

c3241e9f72dfbc93d699354b900bbc714f583fff2fe3c7269356247fbcbd]]

**Document description:** Certification and List of 20 Largest Unsecured Claims

Original filename: X:\VAP\20 lgst 2.pdf

**Electronic document Stamp:** 

[STAMP bkecfStamp ID=983460418 [Date=9/14/2007] [FileNumber=5869496-2] [2fd4f54b60e457eb7bc2349851873a6fa44958365793633f83a791a0cae77e4b2315 206a2e26480fd7a5bcc0d6f203aeff4115cc69f6864e48fb4ba600cdce1d]]

**Document description:** Certification and List of Equity Security Holders

Original filename: X:\VAP\equity 2.pdf

**Electronic document Stamp:** 

[STAMP bkecfStamp\_ID=983460418 [Date=9/14/2007] [FileNumber=5869496-3] [5f8527896c5d7b0de71d5bbec3e9cffc08e79349a94f92cac1f784d5ddfdad9946e0 8b273d19c445f4f67e8a34a64dc1360a5ca2444fe4268f5642a747083d18]]

**Document description:** Corporate Ownership Statement

Original filename: X:\VAP\owner.pdf

**Electronic document Stamp:** 

[STAMP bkecfStamp ID=983460418 [Date=9/14/2007] [FileNumber=5869496-4]

# **Open New Voluntary Bankruptcy Case**

# **U.S. Bankruptcy Court**

#### **District of Delaware**

# Notice of Bankruptcy Case Filing

The following transaction was received from Jones, Laura Davis entered on 9/14/2007 at 3:07 PM EDT and filed on 9/14/2007

Case Name:

The SCO Group, Inc.

Case Number:

07-11337

**Document Number: 1** 

#### **Docket Text:**

Chapter 11 Voluntary Petition of The SCO Group, Inc., Fee Amount \$1039. Filed by The SCO Group, Inc.. (Attachments: #(1) Board Resolutions#(2) Certification and List of 20 Largest Unsecured Creditors# (3) Certification and List of Equity Security Holders# (4) Corporate Ownership Statement# (5) Certification and Creditor Matrix) (Jones, Laura Davis)

The following document(s) are associated with this transaction:

**Document description:** Main Document Original filename:X:\VAP\grp petitions.pdf

**Electronic document Stamp:** 

[STAMP bkecfStamp ID=983460418 [Date=9/14/2007] [FileNumber=5869457-0] [09560de95ccdec706a3a2e0fcae7cabf1d3136acb76319e552e3069cd2616a5aad58 8372d9ccec5d6b7472695de5c41451aef60e37f637b31492302037c640a911

**Document description:** Board Resolutions Original filename:X:\VAP\resolutions.pdf

**Electronic document Stamp:** 

[STAMP bkecfStamp ID=983460418 [Date=9/14/2007] [FileNumber=5869457-1] [30493f62bec043f6e66cbffab949a5edb44318d884a548348e3cb1599baa40f7c0e7 b3389c739436a352abca6dc32bdef078f8930d2215b21c7695acf5e31cc4]]

**Document description:** Certification and List of 20 Largest Unsecured Creditors

Original filename:X:\VAP\20 lgst.pdf

**Electronic document Stamp:** 

[STAMP bkecfStamp ID=983460418 [Date=9/14/2007] [FileNumber=5869457-2] [429d7ce47a98b81143b325b4e9f9dae33abfeb01a245c3cb5f3beeca8c11463d4251 920b913d0786213325f8787cc652b8341b192e28de4a955cb8d294993e25]]

**Document description:** Certification and List of Equity Security Holders

Original filename: X:\VAP\eq holdrs.pdf

**Electronic document Stamp:** 

[STAMP bkecfStamp ID=983460418 [Date=9/14/2007] [FileNumber=5869457-3] [7ca3a3cc243e954e983c8d8650a713778be99d46300695c11c627d56376234631459 ed3ce17fecb88a3fa1b819ad0120fb609b5bb66474199f44521b3985c1c4]]

**Document description:** Corporate Ownership Statement

Original filename: X:\VAP\ownersp.pdf

**Electronic document Stamp:** 

[STAMP bkecfStamp ID=983460418 [Date=9/14/2007] [FileNumber=5869457-4]

Official Form 1 (4/07)			
United States Bankruptcy Court District of Delaware		ourt	Voluntary Petition
Name of Debtor (if individual, enter Last, First, The SCO Group, Inc.	Middle):	Name of Joint Debtor (Spouse) (Last, F	irst, Middle):
All Other Names used by the Debtor in the last 8 (include married, maiden, and trade names):  FKA Caldera International, Inc.	years	All Other Names used by the Joint Deb (include married, maiden, and trade nar	
Last four digits of Soc. Sec./Complete EIN or oth 87-0662823	ner Tax ID No. (if more than one, state all)	Last four digits of Soc. Sec./Complete I	EIN or other Tax ID No. (if more than one, state all)
Street Address of Debtor (No. and Street, City, a 355 South 520 West Lindon, UT	ZIP Code	Street Address of Joint Debtor (No. and	d Street, City, and State):  ZIP Code
County of Residence or of the Principal Place of Utah	Business:	County of Residence or of the Principal	l Place of Business:
Mailing Address of Debtor (if different from stre	et address):  ZIP Code	Mailing Address of Joint Debtor (if diff	ferent from street address):  ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):			
Type of Debtor (Form of Organization) (Check one box)  Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Nature of Business (Check one box)  Health Care Business Single Asset Real Estate as def in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank Other  Tax-Exempt Entity (Check box, if applicable) Debtor is a tax-exempt organiz under Title 26 of the United St Code (the Internal Revenue Co	fined Chapter 7 Chapter 9 Chapter 11 Chapter 12 Chapter 13  Nat Chapter 13  Debts are primarily consumer de defined in 11 U.S.C. § 101(8) as "incurred by an individual prima	s business debts. arily for
Filing Fee (Check one Full Filing Fee attached Filing Fee to be paid in installments (applical attach signed application for the court's consi is unable to pay fee except in installments. Re Filing Fee waiver requested (applicable to chattach signed application for the court's consi	ble to individuals only). Must ideration certifying that the debtor ule 1006(b). See Official Form 3A. hapter 7 individuals only). Must	□ Debtor is a small business debto ■ Debtor is not a small business de Check if: □ Debtor's aggregate noncontinge to insiders or affiliates) are less of Check all applicable boxes: □ A plan is being filed with this pe	etition.
Statistical/Administrative Information  ☐ Debtor estimates that funds will be available ☐ Debtor estimates that, after any exempt prope there will be no funds available for distribution  Estimated Number of Creditors  1- 50- 100- 200- 49 99 199 999 ☐ ☐ ☐	erty is excluded and administrative con to unsecured creditors.  1000- 5001- 10,001- 25	ors.	THIS SPACE IS FOR COURT USE ONLY
Estimated Assets  \$0 to \$10,000 \$100,000  Estimated Liabilities  \$10,001 to \$100,000	\$1,000,001 to \$1,000,0 million \$100 mi	illion \$100 million	
☐ \$0 to ☐ \$50,001 to \$100,000	\$1,000,001 to \$1,000,00 \$1,000,00 \$1,000,00		

Official Form	1 (4/07)		FORM B1, Page 2		
Voluntary Petition		Name of Debtor(s): The SCO Group, Inc.			
(This page m	ust be completed and filed in every case)	The 300 Group, inc.			
	All Prior Bankruptcy Cases Filed Within Las	t 8 Years (If more than two, atta	ch additional sheet)		
Location Where Filed:	- None -	Case Number:	Date Filed:		
Location Where Filed:		Case Number:	Date Filed:		
	ending Bankruptcy Case Filed by any Spouse, Partner, or		e than one, attach additional sheet)		
Name of Deb See Attach		Case Number:	Date Filed:		
District:		Relationship:	Judge:		
	Exhibit A	(7)	Exhibit B		
forms 10K a pursuant to and is reque	(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  Exhibit A is attached and made a part of this petition.  (To be completed if debtor is an individual whose debts are primarily consumer detail, the attorney for the petitioner named in the foregoing petition, declare the have informed the petitioner that [he or she] may proceed under chapter 7 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the required by 11 U.S.C. §342(b).  Signature of Attorney for Debtor(s) (Date)				
☐ Exhibit If this is a jo	oleted by every individual debtor. If a joint petition is filed, ea D completed and signed by the debtor is attached and made	a part of this petition.	tach a separate Exhibit D.)		
	Information Regardin				
	(Check any ap	•			
	Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180				
	days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.  There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.				
	Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	cipal place of business or princip s in the United States but is a def ne interests of the parties will be	pal assets in the United States in Fendant in an action or served in regard to the relief		
	Statement by a Debtor Who Resides (Check all app		pperty		
Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)					
(Name of landlord that obtained judgment)					
	(Address Challes II)				
	(Address of landlord)				
	Debtor claims that under applicable nonbankruptcy law, the permitted to cure the entire monetary default that gave rise possession was entered, and	ere are circumstances under whi to the judgment for possession,	ch the debtor would be after the judgment for		
	Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.				

Official Form 1 (4/07) FORM B1, Page 3 Name of Debtor(s): Voluntary Petition The SCO Group, Inc. (This page must be completed and filed in every case) Signatures Signature(s) of Debtor(s) (Individual/Joint) Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this pention I declare under penalty of perjury that the information provided in is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may ☐ I request relief in accordance with chapter 15 of title 11. United States Code. proceed under chapter 7, 11, 12, or 13 of title 11, United States Certified copies of the documents required by 11 U.S.C. §1515 are attached. Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter IIf no attorney represents me and no bankruptcy petition preparer of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached. signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b). I request relief in accordance with the chapter of title 11, United Signature of Foreign Representative States Code, specified in this petition. Printed Name of Foreign Representative Signature of Debtor Date Signature of Non-Attorney Bankruptcy Petition Preparer Signature of Joint Debtor I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this Telephone Number (If not represented by attorney) document for compensation and have provided the debtor with a copy of this document and the notices and information required Date under II U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) Signature of Attorney setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or Signature of Attorney for Debtor(s) accepting any fee from the debtor, as required in that section. Official Form 19B is attached. Laura Davis Jones, Esq. DE Bar No. 2436 Printed Name of Attorney for Debtor(s) Printed Name and title, if any, of Bankruptcy Petition Preparer Pachulski Stang Ziehl & Jones, LLP Firm Name 919 North Market St., 17th Fl. Social Security number (If the bankrutpey petition preparer is not P.O. Box 8705 an individual, state the Social Security number of the officer, Wilmington, DE 19899 principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.) Address (302) 652-4100 Fax: (302) 652-440 Telephone Number Address Signature of Debtor (Corporation/Partnership) Date I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to Signature of Bankruptcy Petition Preparer or officer, principal, file this petition on behalf of the debtor. responsible person, or partner whose Social Security number is The debtor requests relief in accordance with the chapter of title 11, provided above. United States Code, specified in this petition. Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual: Signature of Authorized Individual Darl C. McBride Printed Name of Authorized Individual Chief Executive Officer If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. Title of Authorized Individual A bankruptcy petition preparer's failure to comply with the Date provisions of title 11 and the Federal Rules of Bunkruptov Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.