
**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

The **SCO GROUP, INC.**, et al.,

Debtors.

Chapter 11

Case No. **07-11337 (KG)**
(Jointly Administered)

Hearing: February 25, 2009 at 11:00 a.m.,
continued from January 29, 2009

Related Docket Nos.: 649 and 668

**SUPPLEMENTAL OBJECTION OF PETROFSKY TO FOURTH MOTION
BY DEBTORS UNDER SECTION 1121(d) FOR EXTENSION OF
EXCLUSIVITY DEADLINES**

1. I, Alan P. Petrofsky, an equity security holder of Debtor The SCO Group, Inc. (“SCO”), hereby supplement my objection to the *Fourth Motion by Debtors Under Section 1121(d) for Extension of Exclusivity Deadlines* (Docket No. 649, filed December 30, 2008) (the “Motion”). My original objection was filed on January 22, 2009 in Docket No. 668 (the “Objection”).

2. At the hearing on the Motion on January 29, the Debtors’ counsel Grace Robson requested that the matter be continued to the February 25 hearing, and she described the terms of a proposal for different relief. The Court continued the matter, with my assent:

MS. ROBSON (Telephonic): I do have a proposal which I would hope might alleviate Mr. Petrofsky’s concerns expressed in his objection. What

we would propose is we're willing to continue the hearing on our motion for the extension of exclusivity as it relates to the solicitation period to the February 25th omnibus hearing. But we would, in that vein, also modify our request such that presuming Your Honor approves the form of the disclosure statement for solicitation, we would also request a expansion of the extension of exclusivity for solicitation purposes through the confirmation hearing. And to the extent that Your Honor, if in the even [sic in transcript] Your Honor does not approve the disclosure statement for solicitation, we would file a motion to extend exclusivity, you know, at that time. If Your Honor did not approve it, and if we could show cause. So with that being said, it would carry over today's hearing on the exclusivity motion to the February 25th date, and depending on the outcome of whether the form of disclosure statement is approved, would either extend the solicitation period without us having to file another motion, or if Your Honor did not approve the disclosure statement, we'd file another motion at that time.

THE COURT: All right. Does, Mr. Petrofsky, do you wish to be heard on the subject?

MR. PETROFSKY (Telephonic): Yes. Thank you. This is Al Petrofsky, pro se. That's the first I've heard of that proposal, and it sounds pretty good to me. My only question is I wasn't quite clear on the details with - - so, if the disclosure statement is approved on February 25th, then the solicitation period would be extended to, to when exactly?

MS. ROBSON (Telephonic): My, well, the proposal that the Debtors are requesting that the Court approve is that depending on the date the Court set the confirmation hearing, we would request exclusivity to extend through that date.

MR. PETROFSKY (Telephonic): Okay. Yes. That sounds reasonable to me.

THE COURT: All right. And it certainly sounds reasonable to the Court.

MS. MAKOWSKI: Thank you, Your Honor.

MS. ROBSON (Telephonic): Thank you.

MS. MAKOWSKI: So we'll mark that on the record as continued to the February 25th date.

THE COURT: Exactly.

(transcript of January 29, 2009 hearing, Docket No. 688, at 3:23-5:16)

3. The date that the Debtors had requested for the setting of a confirmation hearing was "on or about March 25, 2009" (Docket No. 662, at ¶9).

4. As I stated in my original Objection, I do not object to a further enlargement of the 120-day period specified in 11 U.S.C. 1121(c)(2) (the “Plan-Filing Period”) to extend it through January 16, 2009. The issue in dispute was the requested further enlargement of the 180-day period specified in 11 U.S.C. 1121(c)(3) (the “Plan-Acceptance Period”).

5. As I agreed at the January hearing, if the Court approves a disclosure statement at the February 25 hearing and sets a confirmation hearing date that is on or about March 25, then I have no objection to the Plan-Acceptance Period being extended through that date.

6. As the Debtors agreed at the January hearing, if the Court does not approve a disclosure statement at the February 25 hearing, then the Court should do as I requested in my original Objection: enter an order granting an extension of the Plan-Filing Period through January 16, 2009, but denying, without prejudice, any extension of the Plan-Acceptance Period. For this alternative, I have attached a suitable proposed form of order.

7. I oppose any further continuance of the hearing on the Motion.

Respectfully submitted February 23, 2009,

/s/ Alan P. Petrofsky

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