

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

| | | |
|------------------------------------|---|------------------------------|
| In Re: |) | Case No. 07-CV-0103 |
| |) | |
| LEVEL PROPANE GASES, INC., et. al. |) | |
| |) | Bankruptcy Case No. 02-16172 |
| Debtors. |) | |
| _____ |) | |
| |) | JUDGE ANN ALDRICH |
| WILLIAM H. MALOOF, |) | |
| |) | |
| Appellant, |) | MAGISTRATE JUDGE PERELMAN |
| |) | |
| |) | |
| vs. |) | |
| |) | |
| LEVEL PROPANE GASES, et. al. |) | |
| |) | |
| Appellees |) | |

ON APPEAL FROM THE UNITED STATES BANKRUPTCY COURT FOR THE
NORTHERN DISTRICT OF OHIO, EASTERN DIVISION

APPELLANT’S REPLY BRIEF -- APPENDIX

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IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In Re:) Case No. 02-16172
Level Propane, Gases, Inc., et. al.)
.) Ch. 11
)
) Hon. Randolph Baxter

OFFER OF CORROBORATIVE STATEMENT OF LISA JONES

Now comes William H. Maloof, shareholder and appellant, by and through counsel undersigned, and offers to this Court the statements under penalty of perjury of Lisa Jones. This statement, attached as Exhibit 1, is offered to corroborate Suzanne Arena's statement that her first contact with the Appellant was on July 21, 2006, and further to demonstrate that he had exercised all possible diligence with respect to newly discovered evidence submitted in support of his Renewed Motion to Re-open Examiner's Investigation.

Respectfully Submitted,

/s/ David C. Eisler
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Attorney for Appellant, William H. Maloof

SERVICE

I hereby certify that on this 19th day of January 2007, the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/David C. Eisler

David C. Eisler, Counsel for the Appellant

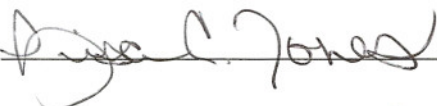
EXHIBIT 1

Statement of Lisa Jones

STATEMENT MADE UNDER PENALTY OF PERJURY

Now comes Lisa C. Jones, being of legal age, signing below, and voluntarily makes the following statement under penalty of perjury:

- 1.) That; on or about July 21, 2006 William H. Maloof knocked on my door at 331 Harvard Ave. Elyria Ohio. He Asked if I was Suzanne Arena.
- 2.) That; I told him that a Suzanne Arena didn't live here,
- 3.) That; I learned from the landlady that she was the prior tenant.
- 4.) That; The landlady did know where she moved to.



1-12-07
Date



(Printed Name)

Statement of Delton Robson, Docket No. 3082

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In Re:) Case No. 02-16172
Level Propane, Gases, Inc., et. al.)
.) Ch. 11
)
) Hon. Randolph Baxter

OFFER OF CORROBORATIVE STATEMENT OF DELTON ROBSON

Now comes William H. Maloof, shareholder and appellant, by and through counsel undersigned, and offers to this Court the statements under penalty of perjury of Delton Robson. This statement, attached as Exhibit 1, is offered to corroborate Suzanne Arena's statement that her first contact with the Appellant was on July 21, 2006, and further to demonstrate that he had exercised all possible diligence with respect to newly discovered evidence submitted in support of his Renewed Motion to Re-open Examiner's Investigation.

Respectfully Submitted,

/s/ David C. Eisler

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Attorney for Appellant, William H. Maloof

SERVICE

I hereby certify that on this 19th day of January 2007, the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/David C. Eisler

David C. Eisler, Counsel for the Appellant

EXHIBIT 1

Statement of Delton Robson

STATEMENT MADE UNDER PENALTY OF PERJURY

Now comes DELTON H. ROBISON, JR., being of legal age, signing below,
and voluntarily makes the following statement under penalty of perjury:

1.) That the attached statement is hereby incorporated by reference as

fully rewritten herein and has been written by the undersigned;

ON MONDAY 21 JULY 2006 AT APPROX. 8:30 PM, A GENTLEMAN STATING HE WAS BILL MALOOF CALLED OUR HOUSE ASKING IF HE COULD COME OVER AND MEET WITH MY GIRLFRIEND, SUZANNE ARENA. AT APPROX. 9:00 PM, BILL MALOOF CAME OVER AND INTRODUCED HIMSELF. THIS WAS THE FIRST TIME THAT MYSELF OR MY GIRLFRIEND (SUZANNE ARENA) HAD EVER TALKED TO OR SEEN BILL MALOOF.

Delton H. Robison Jr

DELTON H ROBISON - JR
(Printed Name)

10 JAN 07
Date