

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

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

STATEMENT OF ELECTION PURSUANT TO RULE 8001(e) OF THE FEDERAL
RULES OF BANKRUPTCY PROCEDURE AND 28 U.S.C. SEC. 158(c)

William H. Maloof, shareholder, hereby files this statement of election pursuant to Rule 8001(e) of the Federal Rules of Bankruptcy Procedure and 28 U.S.C. Sec. 158(c)(1) to inform all parties that William H. Maloof elects to have his appeal heard under 28 U.S.C. 158(a) from the Order of the bankruptcy judge on his *Renewed and Restated Motion to Reopen Examiner's Investigation and for Appointment of a Substitute Examiner, entered November 28, 2006*. in the above-captioned matter be heard by the District Court for the Northern District of Ohio and not by the Bankruptcy Appellate Panel for this Circuit. William H. Maloof is filing this statement of election simultaneously with its Notice of Appeal, pursuant to 28 U.S.C. Sec. (c)(1)(A).

Dated December 5, 2006

Respectfully Submitted.

/s/ David C. Eisler
David C. Eisler
P. O. Box 1721
Medina, OH 44258
(216) 513-6369; (216) 214-2106
inqs@aol.com

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NOTICE OF APPEAL

William H. Maloof, pursuant to 28 U.S.C. Sec. 158(a), hereby appeals from the Order of the bankruptcy judge on his *Renewed and Restated Motion to Reopen Examiner's Investigation and for Appointment of a Substitute Examiner*, entered November 28, 2006 (Docket 3037, 3038). The names of the parties to the order appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Shareholder: William H. Maloof

Counsel: David C. Eisler
P. O. Box 1721
Medina, OH 44258
(216) 513-6369; (216) 214-2106
inqs@aol.com

Debtors: Michael D. Zaveron
Benesch, Friedlander, Coplan & Aronoff, LLP
2300 BP Tower, 200 Public Sq.
Cleveland, Ohio 44114-2378

The names of other interested parties to the judgment and the names, addresses and telephone numbers of their respective attorneys are as follows:

Office of the United States Trustee:

Counsel: Saul Eisen
200 Public Square
20th Floor
Cleveland, Ohio 44114

BT Commercial Corp.

Counsel: Jeff J. Marwil, Esq.
Jenner & Block
One IBM Plaza
Chicago, IL 60601
(312) 923-2629

Official Committee of Unsecured Creditors.

Counsel: Eric D. Schwartz, Esq.
Robert J. Dehney, Esq.
Morris, Nichols, Arsht & Tunnell
1201 N. Market Street
P. O. Box 1347
Wilmington, DE 19899
(302) 658-9200

Dated December 5, 2006

Respectfully Submitted,

/s/ David C. Eisler
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SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Appeal was served upon all parties by the electronic filing and docketing system of the United States Bankruptcy Court, Northern District of Ohio.

/s/ David C. Eisler
David C. Eisler, Counsel for William H. Maloof