

IT IS SO ORDERED.



**UNITED STATES
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**RANDOLPH BAXTER
UNITED STATES BANKRUPTCY JUDGE**

Dated: 03 March, 2008 05:00 PM

_____)	Case No. 02-16172
In re)	(Jointly Administered)
)	
LEVEL PROPANE GASES, INC., <i>et al.</i> ,)	Chapter 11
)	
Debtors.)	Judge: RANDOLPH BAXTER
_____)	

**ORDER DENYING MOTION OF WILLIAM H. MALOOF
TO DISQUALIFY DEBTORS' COUNSEL PURSUANT
TO 11 U.S.C. SEC. 327**

Came on for hearing on the 26th day of February, 2008, the “Motion of William H. Maloof to Disqualify Debtors’ Counsel Pursuant to 11 U.S.C. Sec. 327” (the “Motion to Disqualify,” Docket 3215); Level Propane Gases, Inc. and certain of its affiliated debtor entities, debtors and debtors in possession in the above-captioned, jointly administered cases (collectively, the “Debtors”), having timely responded to the Motion to Disqualify; and the Court, having reviewed and considered the Motion to Disqualify, the Debtors’ brief in opposition and Maloof’s reply thereto, and the Memorandum and Order entered by the United States District Court for the Northern District for Ohio in *William H. Maloof v. Level Propane Gases, Inc., et al.*, Case No. 1:07cv0153 (N.D. Ohio), on August 16, 2007 (the “District Court Order”), hereby finds and concludes that:

1. Maloof’s contention that a statement contained in the District Court Order requires this Court to disqualify Benesch Friedlander Coplan & Aronoff LLP (“Benesch”) as counsel for the Debtors herein is wholly without merit in light of the findings and holdings contained in the District Court Order and for the reasons stated in the Debtors’ brief in opposition to the Motion to Disqualify.

2. Maloof has not alleged any other basis for the relief sought in the Motion to Disqualify.

3. Maloof has previously filed a motion to disqualify Benesch as counsel for the Debtors in these proceedings (Docket 3033), which motion was denied by order entered by this Court on January 18, 2007 (Docket 3078).

4. The doctrine of finality requires that Maloof not be permitted to seek repeatedly to litigate issues which the Court has already decided in final orders.

5. For these reasons, the Motion to Disqualify is not well taken and may and should be denied.

Accordingly, it is ORDERED that the Motion to Disqualify be and hereby is DENIED.

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Order submitted by:

/s/ Mark A. Phillips

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Debtors and Debtors in Possession