

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 BANRUPTCY 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  
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