

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

WILLIAM H. MALOOF, ex rel.	)	
Level Propane Gases, Inc., et al.	)	Case No. 1:07-cv-01892
Plaintiff	)	
	)	Judge Boyko
vs.	)	
	)	
BT COMMERCIAL	)	PLAINTIFF’S MOTION
CORPORATION, et al.	)	TO TRANSFER CASE
Defendants	)	

Now comes William H. Maloof, by and through counsel undersigned, and for his Motion to Transfer the above-captioned case to Judge Ann Aldridge, pursuant to Rule 3.1 (5), United States District Court, Northern District of Ohio, Local Rules, states as follows:

1.) Rule 3.1(5), supra, provides that “Any case received from the random draw may be transferred with the concurrence of the receiving judge and the approval of the Chief Judge.”

2.) Judge Aldridge is familiar with the facts of this case, having rendered a number of decisions related to appeals arising in the Level Propane Bankruptcy proceedings (Case No. 02-16172, United States Bankruptcy Court, N. D.O.). The appeals filed by the Plaintiff herein were 03-CV-2038, 03-CV-2044, 03-CV-2106, 04-CV-0092, and 04-CV-0307, upon which Judge Aldridge has ruled only in the last few months. Moreover, Judge Aldrich has before her the appeals filed by the Plaintiff now pending 07-0150 (Motion to Reopen Examiner’s Investigation) and 07-0153 (Motion to Vacate) that concern many of the same issues and the same evidence as in the present case.

Consequently, Judge Aldrich will be in the best position to sort through its long history, particularly with respect to the issues bearing on the domination of Level Propane by the Defendants herein.

3.) The case is so postured, with only the Complaint having been filed, that there will be neither prejudice to any party nor a delay of justice were the case transferred.

Wherefore, for the reasons above-stated, and pursuant to Local Rule, Plaintiff prays that this case be transferred to Judge Aldrich.

Respectfully submitted,

/s/ David C. Eisler  
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#### SERVICE

I hereby certify that on this 28th day of June, 2007, the foregoing was filed electronically. Notice of this filing will be sent to all parties named in the complaint with their summons. Parties may also access this filing through the Court's system.

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