

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

FILED

2006 MAR 14 PM 1:14

CLERK OF COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

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

**WILLIAM H. MALOOF'S EMERGENCY MOTION FOR LEAVE TO PRESENT
TESTIMONY EVIDENCE AT THE HEARING OR, IN THE ALTERNATIVE BY
DEPOSITION, OF HIS MOTION TO REOPEN EXAMINER'S INVESTIGATION
AND FOR SUBSTITUTE EXAMINER**

Now comes William H. Maloof, pro se, and for his Emergency Motion for Leave Present Testimony Evidence at the Hearing or, in the Alternative by Depostion, of his Motion to Reopen Examiner's Investigation and for Substitute Examiner states as follows:

1.) Hearing on his Motion to Reopen Examiner's Investigation and for Substitute Examiner is set for 2:00 PM on March 23, 2006. As indicated in his previous evidence submission, your Movant has evidence from a live witness that bears heavily on the issues raised in this motion. This witness will only appear if subpoenaed under the authority of this Court.

2) The testimony of this witness is expected to extremely brief, no more than ten (10) minutes in length and other parties participating in the hearing will have the

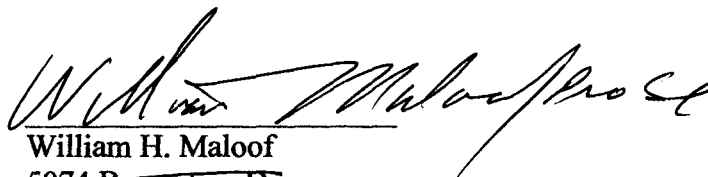
opportunity to cross-examine this witness. Thus, there will be neither an inconvenience to the Court nor prejudice to other parties participating in the hearing.

3) In the alternative, Movant prays that a deposition be scheduled of the witness, either prior or subsequent to the hearing and that such deposition testimony be considered in the decision of the Motion to Reopen Examiner's Report.

4) The taking of live testimony, either in Court or by deposition, is made necessary by the policy of the witness's employer, which unconditionally forbids that any employee make any affidavit that bears directly or indirectly on the business of the witness's employer.

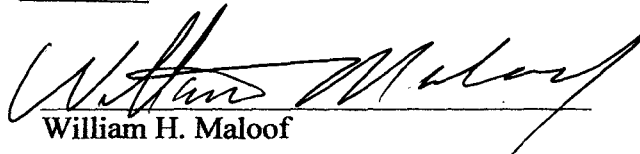
WHEREFORE, for the reasons set forth above, Movant prays for leave to present this witness at the hearing scheduled for March 23, 2006 at 2:00 PM or, in the alternative, that a deposition be scheduled, the record of which will be considered by this Court in its decision of the Motion to Reopen Examiner's Report.

Respectfully Submitted,


William H. Maloof
~~5074 Brompton Dr.~~
P. O. Box 1721
Medina, OH 44256

SERVICE

Service has been made on those listed on the attached form, by ordinary mail according to Rule, this 14 day of March 2006.


William H. Maloof

Mike Zucertan BCL A