

**IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY,
FLORIDA**

DEEPGULF, INC. and
TOKE OIL AND GAS, S.A.

Plaintiffs,

vs.

MARC M. MOSZKOWSKI

Defendant.

Case No.: 2018 CA 000543

Division: "E

**DEFENDANT'S MOTION FOR RECONSIDERATION OF APRIL 17,
2025 ORDER**

COMES NOW Defendant, Marc Moszkowski, and respectfully moves the Court to reconsider its April 17th, 2025 Order regarding mediation and the associated threat of sanctions. This motion is based on newly filed and unacknowledged evidence, the procedural irregularity of the Court's ruling timeline, and the premature scheduling of show cause proceedings contrary to the Court's own prior deadline.

I. Omission of Defendant's Response

On April 17th, 2025, the Court entered an Order addressing Plaintiff's Motion for the Court to Enter an Order to Show Cause. Defendant's Response to that Motion, filed approximately eight hours prior to the

Order and electronically copied to the Court's Judicial Assistant, while briefly referenced in the Order's preamble, was not substantively addressed or considered on the merits. This omission raises serious concern as to whether Defendant's position was reviewed or considered before the Court ruled.

II. Timeline Discrepancy and Procedural Inconsistency

The Court's prior Order on Case Management set a mediation deadline of June 9th, 2025. Plaintiff's Motion sought to circumvent that timeline, and the Court's April 17th Order appears to have adopted a new, earlier effective deadline (May 21st) without explanation or basis. Defendant respectfully submits that no procedural violation or contempt threat can properly issue prior to the expiration of the original Court-imposed deadline.

III. Evidence of Financial Inability Ignored

Defendant has submitted the following documentation in support of his inability to pay the \$900 mediation fee: (1) an Affidavit of Financial Status; (2) February 2025 bank statements; (3) a 2024 income tax return showing zero taxable income; and, (4) as detailed in Defendant's Declaration Regarding Actual Condition and Value of

French Property, filed April 17th, 2025, a sworn Declaration detailing the complete financial, legal, and physical inaccessibility of Defendant's inherited French property, which Plaintiff has falsely characterized as a valuable asset. These documents remain un rebutted by Plaintiff and were not acknowledged in the Court's April 17th Order.

IV. Request for Relief

Defendant respectfully requests that the Court: (1) Reconsider its April 17th, 2025 Order; (2) Reinstate the original June 9th, 2025 mediation deadline; (3) Acknowledge and evaluate the evidence of financial hardship submitted by Defendant; and (4) Suspend or vacate the scheduling of any show cause hearing or sanctions proceedings until proper evaluation is completed and procedural fairness restored.

Respectfully submitted this 18th day of April, 2025

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CERTIFICATE OF SERVICE

I hereby certify that, on this 18th day of April, 2025, a copy of this motion has been furnished to Braden K. Ball, Jr., attorney for the plaintiffs, through the Florida Courts E-Filing Portal.

M. Maczkowski