

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 EMERGENCY MOTION TO STAY PROCEEDINGS
PENDING RESOLUTION OF CONSTITUTIONAL AND THRESHOLD
ISSUES AND FOR INDIGENCY DETERMINATION**

COMES NOW Defendant, Marc Moszkowski, pro se, and respectfully moves this Court for an immediate stay of all proceedings in this matter, including the trial scheduled for June 17, 2025, and for a formal determination of Defendant's indigent status. In support of this Motion, Defendant states:

I. INTRODUCTION AND GROUNDS FOR STAY

1. On June 11, 2025, Plaintiffs submitted a Proposed Order for Entry of Default Judgment against Defendant. As of the filing of this Motion, no such order has been entered.

2. Defendant has filed over 140 pleadings in this action, including verified answers, counterclaims, and extensive documentary evidence. The proposed default ignores the procedural posture of the case and rests on mischaracterizations rebutted at length in Defendant's filings.
3. The case is currently set for trial on June 17-18, 2025, despite the pendency of unresolved threshold issues including:
 - Statute of limitations;
 - Lack of board authorization for this lawsuit;
 - Fabricated corporate records and evidentiary fraud;
 - Medical inability to attend trial in person, due to documented and worsening disability.
4. Proceeding to trial or entering default under these circumstances would cause irreparable harm and deny Defendant the opportunity to be heard.
5. A stay of proceedings is appropriate under Fla. R. App. P. 9.310(a), which authorizes trial courts to stay proceedings to preserve appellate jurisdiction or prevent manifest injustice.

II. SEIZURE OF DEFENDANT'S ONLY PROPERTY

6. As of June 10, 2025, Defendant's only asset—a rural property in France—was seized by judicial order resulting from a fraudulent lien placed by Plaintiffs' associate and shareholder, based on mischaracterized salary as personal debt.
7. Plaintiffs now cite the property as evidence of wealth, while concealing their own role in rendering it uninhabitable, unsellable, and ultimately seized.
8. Defendant is now without assets or viable shelter. Any trial proceeding or judgment at this stage would deepen the injustice.

III. REQUEST FOR INDIGENCY DETERMINATION

9. Defendant's monthly income is approximately \$850 USD. He has no savings, no real property, and carries a balance on the credit card used to file his notice of appeal.
10. On June 12, 2025, the French *Tribunal Judiciaire of Draguignan* issued a decision granting Defendant full *Aide Juridictionnelle* (legal aid) in connection with the seizure of his only residence. A certified attorney has been appointed to assist Defendant. A copy of the court's decision is annexed hereto as Exhibit A. While the document

is in French, its meaning is clear: the French government has formally recognized Defendant's indigency and the merit of his action. This confirms, by judicial decree, that Defendant lacks the financial capacity to defend himself effectively and further underscores the irreparable harm of allowing proceedings to continue.

11. Defendant respectfully requests this Court to recognize his indigent status and grant waiver of any fees or security required for stay, appeal, or mediation, consistent with Fla. Stat. §57.081.

IV. PRAYER FOR RELIEF

WHEREFORE, Defendant respectfully requests that this Court:

1. Stay all proceedings immediately, including trial and any entry of default, pending resolution of Defendant's objections and appeal;
2. Determine Defendant to be indigent for purposes of all proceedings in this matter;
3. Defer ruling on any proposed default until threshold matters and due process concerns have been resolved;
4. Grant any further relief deemed just and necessary.

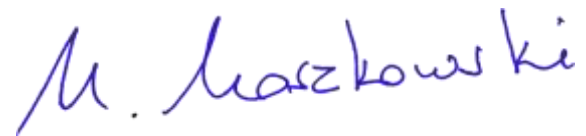
Respectfully submitted on this 12th day of June, 2025.

Marc Moszkowski, Pro Se

Email: m.moszkowski@deepgulf.net

Le Verdos

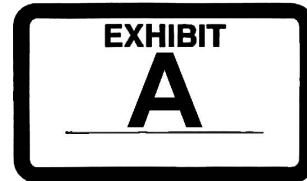
83300 Châteaudouble, France



CERTIFICATE OF SERVICE

I hereby certify that, on this 12th day of June, 2025, a copy of this Objection and Clarification has been furnished to Braden K. Ball, Jr., attorney for the plaintiffs, through the Florida Courts E-Filing Portal.





A RAPPELER DANS TOUTE CORRESPONDANCE

Numéro de la demande : N-83050-2025-002406

Section : Section 4

Date de la demande : 03 juin 2025

Avocat : Me Emmanuelle REIN - Case : 98

Monsieur Marc Michel MOSZKOWSKI

2080 chemin du Verdos

83300 CHATEAUDOUBLE

DECISION D'AIDE JURIDICTIONNELLE

Vu la loi N° 91-647 du 10 juillet 1991 et le décret n° 2020-1717 du 28 décembre 2020,

Vu la loi N° 98-1163 du 18 décembre 1998,

Vu l'empêchement du président du bureau d'aide juridictionnelle,

Le vice-président, statuant le 12 juin 2025 sur la demande présentée le 03 juin 2025 par :

Monsieur Marc Michel MOSZKOWSKI

2080 chemin du Verdos - 83300 CHATEAUDOUBLE

Courriel : mmm@deepgulf.net - Téléphone : 0489532344

Afin d'obtenir l'aide juridictionnelle contre :

Monsieur David Rumsey

63 Clarkes Crossing - Fairport. New York

devant le tribunal judiciaire de : Draguignan - Exécutions (JEX, difficultés d'exécutions devant le juge) (250) - TJ
DRAGUIGNAN jex immobilier - pour être assisté d'un auxiliaire de justice et/ou d'un officier ministériel.

Le Bureau d'aide juridictionnelle après en avoir délibéré, prend en considération les éléments suivants :

- Revenu fiscal de référence : 0 €
- Nombre de personnes composant le foyer fiscal : 1
- Un patrimoine mobilier ou financier de : 7 €
- Un patrimoine immobilier dont la valeur est estimée à : NEANT

CONSTATE :

Que le demandeur remplit les conditions fixées par la loi.

EN CONSÉQUENCE :

Accorde l'aide juridictionnelle totale pour la procédure ci-dessus et fixe la contribution de l'Etat à 100%.

Dit que le bénéficiaire sera assisté par Maître Emmanuelle REIN, avocat au Barreau de Draguignan, demeurant 4
Cours de la République, 83510 LORGUES, tél : 0494474970, désigné par le bâtonnier du Barreau de Draguignan.

Dit que le bénéficiaire sera assisté par Maître Scp BLUM BOUZEREAU TISSOT VIGUIER RENOUX OFFICIA,
huissier, demeurant 28 boulevard Frédéric Mistral 83300 DRAGUIGNAN, tél : 04.94.60.64.30, courriel :
scpbttv@huissier-justice.fr.

LE VICE-PRÉSIDENT

Signé
électroniquement :
SAOULA Khedidja



Informations destinées à la CARPA

N° BAJ : N-83050-2025-002406

Date décision : 12 juin 2025

Type de décision : 1ère décision

Avocat : Emmanuelle REIN

Provision versée par le client :

Type de procédure : AJ

Code BAJ : 250

Décision : Admission totale

Taux : 100%

Affaire : Marc Michel MOSZKOWSKI c/ David Rumsey