

**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"

**NOTICE OF FILING CLARIFICATION REGARDING THE LEGAL
PURPOSE AND PREMATUREITY OF COURT-ORDERED
MEDIATION**

COMES NOW Defendant, Marc Moszkowski, and hereby files the attached document titled "Clarification Regarding the Legal Purpose and Prematurity of Court-Ordered Mediation." This filing is submitted to highlight the inconsistency between the statutory purpose of mediation under Florida law and the current context in which it has been compelled. Defendant respectfully contends that the present posture of the case, including unresolved motions, absence of discovery, and Plaintiff's refusal to engage with the factual record, renders mediation futile and procedurally premature.

Respectfully submitted this 15th day of April, 2025

Marc Moszkowski, Pro Se

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Le Verdos

83300 Châteaudouble, France



CERTIFICATE OF SERVICE

I hereby certify that, on this 15th 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.



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**CLARIFICATION REGARDING THE LEGAL PURPOSE AND
PREMATURITY OF COURT-ORDERED MEDIATION**

Under Florida Statutes § 44.1011(2), mediation is defined as a process whereby a neutral third person, called a mediator, acts to encourage and facilitate the resolution of a dispute between parties. It is expressly characterized as an informal and nonadversarial process, with the goal of achieving a mutually acceptable and voluntary agreement. Mediation is not intended to be adversarial, coercive, or to function as an evidentiary forum. The success of mediation depends upon the good-faith participation of both parties, a condition that is not currently met in this case.

Plaintiff has repeatedly refused to engage with any of Defendant's legal arguments or voluminous evidence. In every responsive filing, Plaintiff has simply reiterated claims already rebutted in detail, without ever addressing factual contradictions or correcting demonstrably false assertions. This persistent pattern undermines the statutory purpose of mediation, which is based on dialogue, flexibility, and mutual resolution. Requiring Defendant to expend resources on mediation under these conditions—while Plaintiff remains unresponsive—renders the process futile, and more akin to posturing than resolution.

For these reasons, Defendant respectfully submits that mediation, at this time, does not serve the objectives outlined in Florida Statutes § 44.1011(2), and is being misused as a procedural tool rather than a genuine effort at dispute resolution.

Respectfully submitted this 15th day of April, 2025

Marc Moszkowski, Pro Se

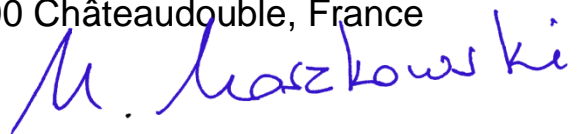
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M. Maczkowski