

**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 NOTICE OF RECORD SILENCE AND REQUEST FOR  
JUDICIAL CLARIFICATION**

COMES NOW Defendant, *pro se*, and respectfully submits this Notice concerning the status of Defendant's filings in the above-captioned matter, and states the following:

1. Since January 21, 2025, Defendant has submitted sixty-four (64) filings to the Court and served them on Plaintiffs, addressing a wide range of procedural, evidentiary, and legal issues related to the conduct and preparation of this case;
2. All sixty-four (64) filings have been accepted by the Clerk of Court and appear on the docket, confirming their procedural validity;

3. A small number of these filings — notably including Defendant's request for additional time during hearings — have received acknowledgement or response from the Court;
4. However, the vast majority of substantive filings, numbering fifty-eight (58), not including an unanswered "Letter to Mediator" — but including motions, notices, and evidentiary objections — have not been addressed, ruled upon, or acknowledged by either the Plaintiffs or the Court.
5. This sustained and complete silence has left the Defendant uncertain as to whether the record is being reviewed, disregarded, or suspended. Such uncertainty undermines the clarity necessary for meaningful trial preparation and effective legal participation.
6. Defendant does not presume any intent to exclude, but respectfully submits that such silence — particularly over fifty-eight accepted filings — is exceptional and warrants formal clarification.
7. A full index of these filings is attached hereto as sequential Exhibit BA.

**WHEREFORE**, Defendant respectfully requests that the Court:

- (a) Acknowledge the procedural status of Defendant's outstanding filings;
- (b) Clarify whether these are under review, reserved for pre-trial or trial determination, denied *sub silentio*, or considered immaterial;
- (c) And issue any such further guidance as the Court deems appropriate to ensure procedural transparency and a fair opportunity to be heard.

This Notice is filed solely for the purpose of ensuring judicial clarity and procedural transparency in advance of trial.

Respectfully submitted this 1<sup>st</sup> day of May, 2025

Marc Moszkowski, Pro Se

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Le Verdos

83300 Châteaudouble, France



### **CERTIFICATE OF SERVICE**

I hereby certify that, on this 1<sup>st</sup> day of May, 2025, a copy of this notice and attached document has been furnished to Braden K. Ball, Jr., attorney for the plaintiffs, through the Florida Courts E-Filing Portal.

*M. Maczkowski*

IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

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LIST OF DEFENDANT'S FILINGS UNADDRESSED BY EITHER  
PLAINTIFFS OR THE COURT AS OF MAY 1<sup>st</sup>, 2025

#	Date	FILING
1	4/25/2025	NOTICE OF FILING DEFENDANT'S MOTION FOR PROTECTIVE ORDER OR RELIEF FROM ENFORCEMENT OF MEDIATION PAYMENT PENDING TRIAL PREPARATION
	4/24/2025	LETTER TO MEDIATOR
2	4/24/2025	NOTICE OF FILING DEFENDANT'S OBJECTION TO ORDER IMPOSING MEDIATION FEE
3	4/22/2025	DEFENDANT'S NOTICE REGARDING PLAINTIFF'S FAILURE TO DESCRIBE THE ALLEGED \$1,304,764.22 "BUSINESS OPPORTUNITY"
4	4/21/2025	FORMAL DEMAND FOR INSPECTION AND ELECTRONIC DELIVERY OF CORPORATE RECORDS
5	4/21/2025	FORMAL DEMAND FOR ADVANCEMENT OF LITIGATION EXPENSES

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| 6  | 4/21/2025 | DEFENDANT'S NOTICE FOR THE RECORD REGARDING CONTRADICTORY ASSERTIONS OF DIRECTOR STATUS AND RESULTING FRAUD ON THE COURT |
| 7  | 4/21/2025 | NOTICE OF FILING ADDENDUM TO DEFENDANT'S NOTICE OF PROCEDURAL INCONSISTENCIES AND GOOD FAITH PARTICIPATION               |
| 8  | 4/21/2025 | NOTICE OF FILING DEFENDANT'S NOTICE REGARDING PROCEDURAL INCONSISTENCIES AND GOOD FAITH PARTICIPATION                    |
| 9  | 4/21/2025 | NOTICE OF PRESERVATION OF UNREFUTED AFFIDAVITS FILED JANUARY 21, 2025  |
| 10 | 4/18/2025 | DEFENDANT'S MOTION FOR RECONSIDERATION OF APRIL 17, 2025 ORDER   |
| 11 | 4/17/2025 | DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION FOR THE COURT TO ENTER AN ORDER TO SHOW CAUSE                                 |
| 12 | 4/17/2025 | NOTICE OF FILING DECLARATION REGARDING ACTUAL CONDITION AND VALUE OF DEFENDANT'S FRENCH PROPERTY                         |
| 13 | 4/16/2025 | NOTICE OF FILING SUPPLEMENTAL EXHIBIT AC-1 TO DEFENDANT'S AFFIDAVIT OF FINANCIAL STATUS                                  |
| 14 | 4/16/2025 | NOTICE OF FILING DEFENDANT'S NARRATIVE SUMMARY AND EXHIBIT AZ – TIMELINE OF EVENTS AND SUMMARY OF DISPUTED CLAIMS        |
| 15 | 4/16/2025 | NOTICE OF FILING DECLARATION REGARDING PLAINTIFF'S PROCEDURAL DISENGAGEMENT AND SELECTIVE PARTICIPATION                  |
| 16 | 4/16/2025 | NOTICE OF FILING STATEMENT REGARDING COUNSEL'S COMPLICITY IN PROCEDURAL MISREPRESENTATION                                |

17	4/16/2025	NOTICE OF FILING DECLARATION REGARDING IMPLAUSIBILITY OF PLAINTIFF'S ASSUMPTIONS ABOUT DEFENDANT'S MEANS AND MOTIVE
18 19	4/16/2025	NOTICE OF FILING — CLARIFICATIONS AND SUPPLEMENTAL RECORD MATERIALS 1. TIMELINE OF INVESTOR LOYALTY, SUPPRESSION, AND STRATEGIC RETALIATION; 2. OBSERVATION REGARDING PLAINTIFF'S USE OF CONVERSATIONAL FILIBUSTERING.
20	4/16/2025	NOTICE OF FILING DECLARATION REFUTING DEEPGULF'S FABRICATED NARRATIVE OF AUTHORIZATION AND SUPPORT
21	4/15/2025	NOTICE OF FILING CLARIFICATION REGARDING THE LEGAL PURPOSE AND PREMATURITY OF COURT-ORDERED MEDIATION
22	4/15/2025	NOTICE CLARIFYING MEDIATION DEADLINE AND OBJECTION TO PREMATURE SANCTIONS INQUIRY
23	4/15/2025	NOTICE OF FILING DECLARATION REGARDING PLAINTIFFS' FAILURE TO SEEK COSTS AFTER FINAL JUDGMENT
24	4/15/2025	NOTICE OF FILING DECLARATION REGARDING DENIAL OF MOTION TO STRIKE COMPLAINT AS A SHAM WITHOUT ADJUDICATION ON THE MERITS
25	4/15/2025	NOTICE OF FILING EXHIBIT REGARDING PLAINTIFF'S JURISDICTIONAL CONTRADICTIONS – FEDERAL AND STATE COURT PROCEEDINGS
26	4/15/2025	NOTICE OF FILING SUPPLEMENTAL NOTICE — MEDICAL RISK AND REMOTE APPEARANCE JUSTIFICATION
27	4/14/2025	NOTICE OF PRESERVATION OF DEFENDANT'S WRITTEN STATEMENT FOR CASE MANAGEMENT CONFERENCE
28	4/14/2025	NOTICE OF PRESERVATION OF UNREFUTED RESPONSE TO PLAINTIFF'S STATEMENT OF UNDISPUTED FACTS

29	4/14/2025	NOTICE OF PRESERVATION OF UNREFUTED RESPONSE TO PLAINTIFF'S AFFIDAVIT
30	4/14/2025	NOTICE OF FILING SUPPLEMENTAL EXHIBIT RE JURISDICTIONAL MISREPRESENTATION
31	4/14/2025	NOTICE OF FILING ADDENDUM A TO DEFENDANT'S TRIAL FRAMEWORK
32	4/11/2025	SUPPLEMENTAL STATEMENT REGARDING TRIAL ACCESS AND DUE PROCESS
33	4/11/2025	NOTICE OF FILING SUPPLEMENTAL APPENDIX IN SUPPORT OF DEFENDANT'S TRIAL FRAMEWORK
34	4/10/2025	DEFENDANT'S MOTION FOR RECONSIDERATION OR CLARIFICATION OF ORDER COMPELLING IN-PERSON TRIAL AND MEDIATION ATTENDANCE
35	4/9/2025	NOTICE OF FILING DECLARATION REGARDING DOMAIN NAME OWNERSHIP AND USE
36	4/9/2025	NOTICE REGARDING MEDIATION STATUS AND PENDING MOTIONS
37	4/8/2025	DEFENDANT'S CONSOLIDATED RECORD SUMMARY AND TRIAL FRAMEWORK
38	4/8/2025	NOTICE OF FILING DEFENDANT'S TIMELINE OF MATERIAL EVENTS (2004–2018)
39	4/7/2025	NOTICE OF FILING SUPPLEMENTAL DECLARATION REGARDING BOARD MEETING AND EMAIL COMMUNICATION
40	4/7/2025	DEFENDANT'S MOTION TO REINSTATE DISCOVERY SCHEDULE AND RECONSIDER TRIAL TIMELINE
41	4/7/2025	NOTICE OF FILING SUPPLEMENTAL DECLARATION OF DEFENDANT REGARDING THE NECESSITY OF FILINGS AND PRESERVATION OF DEFENSES
42	4/4/2025	SUPPLEMENTAL DECLARATION REGARDING CASE MANAGEMENT CONFERENCE



43	4/4/2025	DEFENDANT'S MOTION TO ENSURE TRIAL FAIRNESS THROUGH RULING ON PENDING MOTIONS, DISCOVERY, AND DUE CONSIDERATION OF THE RECORD
44	4/3/2025	DEFENDANT'S RESPONSE IN OPPOSITION TO PLAINTIFF'S MOTION FOR CONTINUANCE
45 46 47 48	4/2/2025	NOTICE OF FILING 1. DEFENDANT'S MOTION TO DISMISS FOR FRAUD ON THE COURT 2. AFFIDAVIT REGARDING PLAINTIFF TOKE OIL & GAS S.A.'S LACK OF LEGAL EXISTENCE 3. SUPPLEMENTAL DECLARATION REGARDING LACK OF BOARD AUTHORIZATION AND MISREPRESENTATION OF CORPORATE AUTHORITY 4. NOTICE OF FILING EXHIBITS IN SUPPORT OF SUPPLEMENTAL DECLARATION
49	4/1/2025	DEFENDANT'S WRITTEN STATEMENT PRIOR TO THE CASE MANAGEMENT CONFERENCE
50	3/27/2025	DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION TO REQUIRE DEFENDANT TO PAY MEDIATION FEES
51	3/26/2025	DEFENDANT'S MOTION TO ENFORCE BY-LAWS AND FOR RELIEF FROM MEDIATION COSTS
52	3/24/2025	DEFENDANT'S RESPONSE TO PLAINTIFFS' MOTION TO DISMISS COUNTERCLAIM
53	3/18/2025	DEFENDANT'S MOTION FOR LEAVE TO SUPPLEMENT HIS MOTION FOR RECONSIDERATION WITH NEWLY DISCOVERED EVIDENCE
54	3/13/2025	DEFENDANT'S RESPONSE IN OPPOSITION TO PLAINTIFFS' MOTION TO STRIKE DEFENDANT'S AFFIRMATIVE DEFENSES
55	1/21/2025	DEFENDANT'S RESPONSE TO PLAINTIFF'S STATEMENT OF UNDISPUTED FACTS
56	1/21/2025	DEFENDANT'S RESPONSE TO AFFIDAVIT OF RUSTIN HOWARD IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

57	1/21/2025	NOTICE OF FILING SECOND AFFIDAVIT OF MARC MOSZKOWSKI
58	1/21/2025	NOTICE OF FILING FIRST AFFIDAVIT OF MARC MOSZKOWSKI