

**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 PRESERVATION OF DEFENDANT'S WRITTEN  
STATEMENT FOR CASE MANAGEMENT CONFERENCE**

COMES NOW Defendant, Marc Moszkowski, and respectfully submits this Notice to preserve the record of his written submission filed on April 1<sup>st</sup>, 2025, titled "Defendant's Written Statement Prior to the Case Management Conference."

That document contains a comprehensive response to Plaintiff's affidavit and Statement of Undisputed Facts, identifying 41 specific factual disputes out of 59 items, and reaffirming the uncontested and unanswered content of Defendant's January 21<sup>st</sup>, 2025 filings. The April 1<sup>st</sup> filing was timely, complete, and responsive to the Court's Case Management procedures and

was submitted with the intent to assist the Court in identifying genuine disputes requiring adjudication.

To date, Plaintiff has issued no substantive reply to the April 1<sup>st</sup> Statement, and the Court did not acknowledge or reference the filing during the Case Management Conference or in subsequent orders. Defendant raises this for the record to preserve the filing's legal and factual significance, and to document a continuing pattern of procedural non-engagement with Defendant's evidence-based pleadings.

This Notice is submitted in furtherance of Defendant's rights under Florida law and to preserve the record for appellate review, should judicial inaction or adverse rulings result from failure to engage with Defendant's filings.

Respectfully submitted this 14<sup>th</sup> day of April, 2025

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### **CERTIFICATE OF SERVICE**

I hereby certify that, on this 14<sup>th</sup> 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. Marzowski*