

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 DECLARATION REGARDING PLAINTIFFS'
FAILURE TO SEEK COSTS AFTER FINAL JUDGMENT**

COMES NOW Defendant, Marc Moszkowski, and hereby files the attached Declaration titled "Declaration Regarding Plaintiffs' Failure to Seek Costs After Final Judgment." This declaration memorializes that no motion to tax costs was filed by Defendants Rustin R. Howard or Thomas J. Johnson following the May 16, 2022 Final Judgment in the related matter in which Defendant was the Plaintiff. It is submitted for the purpose of preserving the record, providing procedural context, and supporting broader arguments related to Plaintiff conduct, litigation posture, and judicial notice.

Respectfully submitted this 15th day of April, 2025

Marc Moszkowski, Pro Se

Email: m.moszkowski@deepgulf.net

Phone: +1(850)316 8462

Le Verdos

83300 Châteaudouble, France

A handwritten signature in blue ink, reading "M. Moszkowski".

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.

A handwritten signature in blue ink, reading "M. Moszkowski".

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Plaintiffs,

vs.

MARC M. MOSZKOWSKI

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Case No.: 2018 CA 000543

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**DECLARATION REGARDING PLAINTIFFS' FAILURE TO SEEK
COSTS AFTER FINAL JUDGMENT**

I, Marc Moszkowski, submit this declaration to document a significant procedural detail in the related case 2020 CA 001021 wherein I was the Plaintiff and final judgment was entered against me on May 13, 2022, in favor of Defendants Rustin R. Howard and Thomas J. Johnson.

The final judgment stated: 'The Court hereby enters Final Judgment of no liability against Plaintiff, Marc Moszkowski, and in favor of Defendants, Rustin R. Howard and Thomas J. Johnson.

Plaintiff shall take nothing by this action, and all Defendants shall go hence without day.'

Under Florida Rule of Civil Procedure 1.525, a prevailing party seeking costs must serve a motion to tax costs within 30 days of the entry of final judgment. No such motion was filed by the Defendants, and no attempt was made to tax costs against me in that proceeding.

While the prevailing party in a civil case typically pursues costs, I received no such motion or correspondence, despite being on high alert for the required 30-day period. I suspect that Defendants' counsel deliberately refrained from initiating cost recovery due to the content of my email sent April 29, 2022 (see Exhibit AX), in which I outlined serious concerns regarding procedural fairness, discovery obstruction, and jurisdictional manipulation. That email was never answered.

In my view, this silence on costs may reflect a strategic decision to avoid reopening issues already well-documented in the record, or to avoid provoking a response that would highlight Defendants' prior conduct.

I submit this declaration to preserve the procedural fact that no motion for costs was filed, despite eligibility under Rule 1.525.

Respectfully submitted this 15th day of April, 2025

Marc Moszkowski, Pro Se

Email:

m.moszkowski@deepgulf.net

Phone: +1(850)316 8462

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.



m.moszkowski@deepgulf.net

From: m.moszkowski@deepgulf.net
Sent: Friday, April 29, 2022 9:04 AM
To: 'Braden Ball'
Cc: 'Monica Andrews'
Subject: RE: Moszkowski v. Howard / Johnson; Case Number 2020 CA 001021

I pray you will carefully read and understand my remarks.

Mr. Ball,

Your proposed wording of the Final Judgment adds one more level of absurdity to a long list of absurdities.

If I may very respectfully say so and if I understood correctly, according to Judge Shackelford's own words it appears to me that some or all of the two motions and one response I filed between March 14th and April 5th may not have been brought to her attention in a timely fashion, despite the solid and undeniable justifications that all three documents contained. Neither of the two motions was denied, although neither was granted.

From the docket:

4/5/2022 PLAINTIFF MOSZKOWSKI'S RESPONSE TO DEFENDANTS' MOTION FOR ENTRY OF FINAL JUDGMENT

3/30/2022 PLAINTIFF MOSZKOWSKI'S MOTION TO EXTEND THE TIME TO FILE HIS AMENDED COMPLAINT

3/14/2022 PLAINTIFF MOSZKOWSKI'S MOTION TO COMPEL

In all honesty and impartiality, the judgment should incorporate the information I entered below:

THIS CAUSE came before the Court on Defendants' Motion for Final Judgment subsequent to Plaintiff being barred by Defendants from timely filing an Amended Complaint as required by the Court's Order dated March 1, 2022, for the reason that the Defendants have consistently ignored for four long years Plaintiff's repeated legitimate demands for the production of such basic and essential identity information that was indispensable for him to amend his Complaint.

However, the Court hereby enters Final Judgment **of no liability** [please explain precise meaning. Internet browsers returns few, if any, relevant result for ambiguous "*Final Judgment of no liability*"] against Plaintiff, Marc Moszkowski, and in favor of Defendants, Rustin R. Howard and Thomas J. Johnson.

It can hardly be dissimulated any longer that the only reason for my not being able to file my Amended Complaint on time was that you repeatedly ignored my numerous demands for the basic identity information I absolutely needed in order to amend my complaint. During the hearing you even stated quite bizarrely that my demand was some sort of "*fishing expedition*", as if my demand for a proof of existence of my opponents could be anything but absolutely legitimate.

I have the eerie feeling that the hundreds of pages of very detailed pleadings and correspondence I have written since 2017, to my opponents before the first lawsuit, and then in Florida Circuit Court, in U.S. District Court, in U.S. Court of Appeals, and again in Florida Circuit Court, are either ignored or simply not read. A good indication would be that despite your never having produced a single piece of unadulterated or commonsense evidence in your attacks against me, to which I have always vigorously reacted, you never put any of my own plethoric proven evidence in question.

I am quite sure that if I were a U.S. citizen, or even only a U.S. resident with sufficient wherewithal, the absurd and unwarranted legal attacks against me as a convenient scapegoat for your clients' own misdeeds would never have even started, especially such a long time after the expiration of the statute of limitations and considering the innumerable conflicts of interest at play. It seems obvious

that, as the author and signatory of the pleadings against me, you are only taking advantage of the vulnerabilities resulting from (a) my being a far-away impoverished foreigner without any political or legal representation in your jurisdiction, (b) my being forced to live in absolute seclusion 5,000 miles away because of your clients' conspiracy not to renew my visa, which forced me to abruptly leave the U.S. in early 2017 with just one piece of luggage after two decades of presence (I cannot forget your quite offending assertion that I had somehow "*absconded*"), (c) the denial by your clients of the legal assistance they however owe me undeniably according to their own bylaws, (d) their denial to pay the very large amounts they owe me according to their own official, formal, and personal commitment to a U.S. Federal Department, (e) the lack of any attention to the repeated proofs I provided over the years that the evidence you produced was either invented or forged, (f) the fact that it is not possible for me to travel, (g) the fact that all the money I could scrape together for my successful legal defense in U.S. Court was wasted when you falsely caused your case against me to be remanded to State Court one year after judgment in U.S. Court (that money represents so far 14 [fourteen] years of my after-tax income), and so forth.

I cannot but think that you and your clients were quite certain that I would never answer your lawsuit against me, a moneyless foreigner living outside U.S. jurisdiction, let alone that I would remove the case to Federal Court, and so you would easily win your case by default (although what you may have thought you could win from a foreigner in a foreign jurisdiction is unclear to me, and I still wonder why it took you so many years to finally find issue with an alleged lack of diversity of citizenship, despite all my early jurisdictional remarks).

And that is the truth, and you know it.

Marc Moszkowski

.

From: Braden Ball [mailto:braden@lawpensacola.com]
Sent: Thursday, April 28, 2022 11:44 AM
To: m.moszkowski@deepgulf.net
Cc: Monica Andrews
Subject: Moszkowski v. Howard / Johnson; Case Number 2020 CA 001021

Mr. Moszkowski:

Per the court's ruling yesterday, I have prepared the attached proposed Final Judgment and I am sending it to you for review of the form of the Final Judgment. Please advise if you have any comments on the form. Thank you.

Braden K. Ball, Jr., Esquire

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