

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 SUPPLEMENTAL APPENDIX IN SUPPORT OF
DEFENDANT'S TRIAL FRAMEWORK**

COMES NOW Defendant, Marc Moszkowski, Pro Se, and respectfully submits the following Supplemental Appendix in support of Defendant's Trial Framework, filed on April 8th, 2025.

Attached hereto as Appendix AS is a narrative exhibit addressing extrajudicial defamation by Plaintiff's Chairman, relating directly to Defendant's academic and professional qualifications, which have been misrepresented in this litigation. The exhibit also reflects Plaintiff's inconsistent claims of corporate authority, improper assertions of intellectual property ownership, and evidence of retaliatory intent.

Defendant further notes that a separate Addendum A to the Trial Framework is forthcoming and will provide additional context regarding the parties' business history and the underlying personal conflicts that preceded this litigation. This exhibit and the upcoming Addendum are intended to be read together as part of a unified factual record.

Respectfully submitted this 11th 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 11th 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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DEEPGULF, INC. and
TOKE OIL AND GAS, S.A.

Plaintiffs,

Case No.: 2018 CA 000543

vs.

Division: "E"

MARC M. MOSZKOWSKI

Defendant.

**DISPARAGEMENT OF ACADEMIC CREDENTIALS AND
PROFESSIONAL REPUTATION**

This appendix supplements Part I of the Trial Framework, expanding on Defendant's academic and professional background and correcting extrajudicial misrepresentations referenced therein.

Defendant includes this appendix to document an extrajudicial communication from Plaintiff's Chairman, Rustin R. Howard, directed to a professional journalist in 2020 during the course of ongoing litigation. The emails falsely disparage Defendant's academic and professional credentials—despite Plaintiff having received and reviewed Defendant's original diploma since early 2005. This communication was neither privileged nor confined to legal process and reflects a pattern of extrajudicial

defamation aimed at undermining Defendant's professional reputation while litigation remained active.

Defendant holds a Diplôme d'Études Supérieures de la Marine Marchande (DESMM), awarded in 1981 by the École Nationale Supérieure Maritime (ENSM, then ENMM) in Le Havre and Marseilles. This is a French national engineering degree, which also leads to the qualification as both Unlimited Master and Unlimited Chief Engineer. The ENSM curriculum uniquely combines nautical and engineering qualifications, and Diplôme d'Études Supérieures (DES) was then the designation in France of what was later designated as a Master's degree under European academic normalization in the so-called post-Bologna system.

Prior to his admission to ENSM, Defendant ranked first in the highly competitive national entrance examination, among hundreds of candidates. He had spent two years preparing at the Lycée Saint-Louis in Paris, one of France's most prestigious institutions, in the elite scientific Classes Préparatoires aux Grandes Écoles (CPGE) —Mathématiques Supérieures and Mathématiques Spéciales. These preparatory programs are considered among the most demanding in the French academic system and are known for producing France's top engineers and scientists. Defendant's academic

achievements were not incidental—they were foundational.

While Defendant regrets the appearance of immodesty, he includes this information solely because Plaintiff has made repeated attempts to cast doubt on his qualifications. Plaintiff has long possessed Defendant's full academic résumé, including these credentials.

Ironically, the very diploma Plaintiff was degrading in 2020 was produced to Defendant in discovery—by Plaintiff himself. Moreover, Plaintiff's Chairman has publicly claimed at different times that Defendant is “not on the Board” (2020, see appendices AT and AU), while later swearing under oath in 2025 that Defendant is an active Director. Additionally, an erroneous third-party credential evaluator—used for U.S. visa purposes—once classified the DESMM as a Bachelor's degree. Defendant immediately objected to that conclusion in writing, and Plaintiff's Chairman at the time dismissed the issue as irrelevant. That flawed evaluation was then revived, years later, solely for defamatory effect.

At the company's founding, Defendant believed the venture would be built upon his engineering achievements and co-founder Rustin Howard's financial expertise, specifically his MBA from Cornell and his prior investment engagements. Defendant trusted this background would attract

institutional capital and establish investor confidence. However, Plaintiff's Chairman has consistently treated the company as built not partly upon his own credentials, but only on Defendant's intellectual contributions—including the early patent J-Flex, and Defendant's proprietary engineering tool, PipePredictor.com, a unique software application developed solely by Defendant in 2003 and never replicated since.

Plaintiff's pattern of asserting ownership over Defendant's patents and proprietary tools has led not to commercial development, but to abandonment. Plaintiff has repeatedly claimed intellectual property in court—only to allow those assets to lapse or expire once in control. In the current matter, Plaintiff has included PipePredictor.com among its claims, despite having no understanding of its operation, no access to its architecture, and no ability to execute its functions. The system was conceived, built, and tested solely by Defendant. If transferred, it would be of no use to Plaintiff. The effort to claim it reflects not an intent to build, but an intent to suppress and silence.

This behavior reinforces the retaliatory and disingenuous nature of Plaintiff's litigation posture: discrediting Defendant's credentials publicly

while attempting to seize the very intellectual property those credentials produced.

At the time these statements were made, Mr. Howard was not only acting as Chairman of Appellant in a U.S. federal appeal in which Defendant was the Appellee, but was also a named personal defendant in a state court case filed by Defendant alleging fraud and perjury. The extrajudicial disparagement occurred while both cases were pending. These circumstances further support the conclusion that Mr. Howard's conduct was not merely ill-advised, but part of a broader pattern of personal retaliation and reputational sabotage during the course of active litigation.

ATTACHED EXHIBITS:

- *Exhibit AT: Timeline of emails*
- *Exhibits AU and AV: email originals.*

Respectfully submitted this 11th day of April, 2025

Marc Moszkowski, Pro Se

Email: m.moszkowski@deepgulf.net

Le Verdos

83300 Châteaudouble, France



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I hereby certify that, on this 11th 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.



TIMELINE OF EMAILS BETWEEN DAMON EVANS AND MARC MOSZKOWSKI REGARDING UNSOLICITED DISPARAGEMENT BY RUSTIN HOWARD, CHAIRMAN OF DEEPGULF.INC.

- I. On September 8, 2020, petroleum journalist Damon Evans sent a broadcast email to his contacts, containing an article about a specific East Timorese issue.

The title was: *"East Timor is reassessing its ambitious petroleum development plans, which include the Woodside Petroleum-operated Greater Sunrise project, after discovering the economic analysis behind its proposed schemes is inaccurate."*

This article vindicated a prevision which I, Marc Moszkowski, had made a few years prior.

Damon Evans has published numerous articles incorporating my research

- II. DeepGulf, Inc's chairman Rus Howard replied to him:

"Dear Damon,

Thank you for sending me links to your articles. I read them with interest.

I have been wrapped up in our own challenges, including our unfortunate experiences with Mr. Moszkowski. At DeepGulf, we have learned that Marc Moszkowski has exaggerated his accomplishments, expertise and education. He has the equivalent of a maritime bachelor's

degree that would qualify him to work on the crew of a ship. He has no engineering training and no advanced training. He has written and published information under several assumed names including Jeffery Feynman, Mike McKenzie, and I presume other yet unknown names. He claims experience and credential that are not his.

Marc Moszkowski has been dismissed and is no longer associated with DeepGulf.

Best Regards, Rus Howard, DeepGulf Chairman"

III. Damon Evans replied to Rus Howard:

"Dear Rus,

Thank you for your email.

I am sorry to hear about the news relating to Marc. I must say it comes as quite a surprise.

Can I ask how you discovered this news?

For some reason, I thought he owned or founded DeepGulf.

All the best, Damon"

IV. Rus Howard replied, bizarrely —for I was then in litigation with both Mr. Howard and DeepGulf, and never mentioned it as a reference:

"Is he still a source for you? Are you in contact with him? I have not seen you reference or quote him for some time.

Marc and I are both founders. He still owns shares of DeepGulf. He is not an employee. He is not an officer. He is not the President nor the Executive Officer. He is not on the Board.

We learned about him a little bit at a time, over a long period of time. We kept finding pieces of the puzzle that just did not fit. But he always came up with a plausible explanation. I admit he had me fooled.

I will not go into detail. Legal counsel advises that we not discuss topics that are part of ongoing litigation.

If you are still talking with him, I suggest you query his credentials both his education and his work experience. I have a copy of his only degree and a professional evaluation of its equivalency in the United States, which I can share that with you if you would like. (that is not part of litigation)

You can ask him about the jobs that he has done, and what were his specific duties/responsibilities and get the name of his supervisor(s), so you can cross check.

I took him at face value. I foolishly relied upon his representations without verification."

V. Damon did not reply to this last email but did forward the series to me.

This is what I replied:

"Wow!

Thanks, Damon.

I'm at the same time bemused and amused.

Not that it should really matter, but my degree is indeed an engineering degree, despite Mr. Howard's assertion. It is a Master's Degree, as he would find out if he only did a little easy research on the website of my school and of those of the French Superior Education Authority. I don't know to which "experience and credential that are not his" Mr. Howard is referring. He has my resume. I wonder if he is questioning it.

I find it amusing that he should claim in his lawsuit that my several patents are extremely valuable to the company, but at the same time he goes on disparaging my abilities. I wonder if the patents would have been awarded if they were authored by a dimwit devoid of "accomplishments, expertise and education"?

As you know, I used aliases for a number of articles, but only to protect the company, and every journalist who quoted me knew who I was, among them yourself. Anyhow, since when is it a crime to use aliases when writing articles, especially when the Editor of the publishing entity knows the actual identity of the writer?

I wonder whether the innumerable technical messages between us struck you by their crass incompetence.

Although Mr. Howard has attempted to dismiss me from the company, he did not succeed, since his attempts were illegal and based on fabricated documentation, and at any rate I own about 48% of the company.

The Courts will appreciate his desperate email, which is well in line with the absurdity of all his attacks, and it will probably prove quite valuable to the progress of my cases.

The man and his confederates will stop at nothing to protect him from the scrutiny of the shareholders and of the law.

Marc

PS: incidentally, it is all the more amusing that Mr. Howard should write you his disparaging message in immediate response to your recent article, in which the vindication of my views with regard to Timorese matters is clearly demonstrated. Mr. Howard had claimed in his pleadings that I had betrayed the company by antagonizing important government officials (Monteiro and Pires among them), and the fact that they have been unceremoniously fired does not exactly fortify his accusation."

VI. Damon Evans replied:

"Thanks Marc. No need to explain. But thanks anyway. I will just ignore Rus' comments."

m.moszkowski@deep-gulf.com

From: Damon Evans <damonevans@fastmail.com>
Sent: Friday, September 11, 2020 1:52 AM
To: Marc Moszkowski
Subject: And some more

And another email, which I have not replied.

----- Original message -----

From: Rus Howard <rrh8@cox.net>
To: 'Damon Evans' <damonevans@fastmail.com>
Subject: RE: ENERGY VOICE: East Timor rethinks flawed Greater Sunrise LNG plan
Date: Wednesday, September 09, 2020 3:47 PM

Is he still a source for you? Are you in contact with him? I have not seen you reference or quote him for some time.

Marc and I are both founders. He still owns shares of DeepGulf. He is not an employee. He is not an officer. He is not the President nor the Executive Officer. He is not on the Board.

We learned about him a little bit at a time, over a long period of time. We kept finding pieces of the puzzle that just did not fit. But he always came up with a plausible explanation. I admit he had me fooled.

I will not go into detail. Legal counsel advises that we not discuss topics that are part of ongoing litigation.

If you are still talking with him, I suggest you query his credentials both his education and his work experience. I have a copy of his only degree and a professional evaluation of its equivalency in the United States, which I can share that with you if you would like. (that is not part of litigation)

You can ask him about the jobs that he has done, and what were his specific duties/responsibilities and get the name of his supervisor(s), so you can cross check.

I took him at face value. I foolishly relied upon his representations without verification.

From: Damon Evans [<mailto:damonevans@fastmail.com>]
Sent: Wednesday, September 09, 2020 1:31 AM
To: Rus Howard <rrh8@cox.net>
Subject: Re: ENERGY VOICE: East Timor rethinks flawed Greater Sunrise LNG plan

Dear Rus,

Thank you for your email.

I am sorry to hear about the news relating to Marc. I must say it comes as quite a surprise.
Can I ask how you discovered this news?

For some reason, I thought he owned or founded DeepGulf.

All the best, Damon

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damonevans@fastmail.com

On Wed, Sep 9, 2020, at 12:46 PM, Rus Howard wrote:

Dear Damon,

Thank you for sending me links to your articles. I read them with interest.

I have been wrapped up in our own challenges, including our unfortunate experiences with Mr. Moszkowski. At DeepGulf, we have learned that Marc Moszkowski has exaggerated his accomplishments, expertise and education. He has the equivalent of a maritime bachelor's degree that would qualify him to work on the crew of a ship. He has no engineering training and no advanced training. He has written and published information under several assumed names including Jeffery Feynman, Mike McKenzie, and I presume other yet unknown names. He claims experience and credential that are not his.

Marc Moszkowski has been dismissed and is no longer associated with DeepGulf.

Best Regards,
Rus Howard
DeepGulf Chairman

From: Damon Evans [<mailto:damonevans@fastmail.com>]
Sent: Tuesday, September 08, 2020 9:28 PM
Subject: ENERGY VOICE: East Timor rethinks flawed Greater Sunrise LNG plan

East Timor is reassessing its ambitious petroleum development plans, which include the Woodside Petroleum-operated Greater Sunrise project, after discovering the economic analysis behind its proposed schemes is inaccurate.

Read the full story on Energy Voice: <https://tinyurl.com/y5tnaa8r>

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damonevans@fastmail.com

m.moszkowski@deep-gulf.com

From: Damon Evans <damonevans@fastmail.com>
Sent: Friday, September 11, 2020 7:10 AM
To: Marc Moszkowski
Subject: Re: Disparagement

Thanks Marc. No need to explain. But thanks anyway. I will just ignore Rus' comments.

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On Fri, Sep 11, 2020, at 3:45 PM, m.moszkowski@deep-gulf.com wrote:

Wow!

Thanks, Damon.

I'm at the same time bemused and amused.

Not that it should really matter, but my degree is indeed an engineering degree, despite Mr. Howard's assertion. It is a Master's Degree, as he would find out if he only did a little easy research on the website of my school and of those of the French Superior Education Authority. I don't know to which "*experience and credential that are not his*" Mr. Howard is referring. He has my resume. I wonder if he is questioning it.

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M

PS: incidentally, it is all the more amusing that Mr. Howard should write you his disparaging message in immediate response to your recent article, in which the vindication of my views with regard to Timorese matters is clearly demonstrated. Mr. Howard had claimed in his pleadings that I had betrayed the company by antagonizing important government officials (Monteiro and Pires among them), and the fact that they have been unceremoniously fired does not exactly fortify his accusation

From: Damon Evans [<mailto:damonevans@fastmail.com>]

Sent: Friday, September 11, 2020 1:51 AM

To: Marc Moszkowski

Subject: Fwd: RE: ENERGY VOICE: East Timor rethinks flawed Greater Sunrise LNG plan

Here you go:

----- Original message -----

From: Rus Howard <rrh8@cox.net>

To: 'Damon Evans' <damonevans@fastmail.com>

Subject: RE: ENERGY VOICE: East Timor rethinks flawed Greater Sunrise LNG plan

Date: Wednesday, September 09, 2020 12:46 PM

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