

**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 FILING DECLARATION IN SUPPORT OF
FILING EXHIBIT BB**

COMES NOW the Defendant, Marc M. Moszkowski, pro se, and hereby gives notice of the filing of the following document in the above-captioned matter:

Defendant's Declaration in Support of Filing Exhibit BB, including:

- A formal declaration introducing and framing his **Address to the Court** dated May 6, 2022;
- Reattachment of said Address as **Exhibit BB**.

This document was previously accepted onto the docket in 2022 but received no acknowledgment or response. It is hereby reintroduced into the record to highlight critical procedural contradictions and longstanding judicial silence.

Respectfully submitted on this 5th day of May, 2025.

Marc Moszkowski, Pro Se
Email: m.moszkowski@deepgulf.net
Le Verdos
83300 Châteaudouble, France



CERTIFICATE OF SERVICE

I hereby certify that, on this 5th day of May, 2025, a copy of this Notice has been furnished to Braden K. Ball, Jr., attorney for the plaintiffs, through the Florida Courts E-Filing Portal.



**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 DECLARATION IN SUPPORT OF FILING EXHIBIT BB:
Address to the Court – April 27, 2022**

COMES NOW the Defendant, Marc Moszkowski, and submits this declaration to frame and reintroduce into the record **Exhibit BB**—his **Address to the Court** — which was duly filed and accepted on the docket, but never acknowledged by either the Court or opposing counsel.

DECLARATION

I, Marc M. Moszkowski, hereby declare under penalty of perjury:

1. On May 6, 2022, I submitted to this Court a written **Address to the Court** outlining in direct, respectful, and procedurally sound terms a

number of extraordinary facts and contradictions bearing on the legitimacy of the case against me.

2. This document, which I now resubmit as **Exhibit BB**, contains:

- A timeline showing the **implausibility** of jurisdictional and procedural claims made by Plaintiffs;
- A clear and compelling **legal paradox**: that I was denied the right to amend my complaint in the earlier case due to Plaintiffs' refusal to disclose their own identity and address;
- A respectful but urgent call for the Court to **recognize the unreality** of the claims and procedures used to suppress my legal rights.

3. This Address to the Court was accepted into the docket—despite lacking an autograph signature—yet **elicited no response whatsoever** from the Court or from Plaintiffs.

4. Given the clarity and significance of the legal contradictions it exposes, the Court's failure to respond must now be regarded as either willful disregard, unacknowledged bias, or clerical neglect.

5. I reintroduce this document as **Exhibit BB** in support of any and all motions for:

- **Vacatur of judgment;**
- **Sanctions** against Plaintiffs and their counsel;
- **Judicial disqualification or reassignment;**
- Or eventual **appeal and review** for denial of due process.

*Attached: **EXHIBIT BB, Address to the Court – April 27, 2022, [Filed as Document ID: 5-35-16-958.pdf]***

Executed this 5th day of May, 2025

Respectfully submitted,

Marc Moszkowski, Pro Se
Email: m.moszkowski@deepgulf.net
Le Verdos
83300 Châteaudouble, France



CERTIFICATE OF SERVICE

I hereby certify that, on this 5th day of May, 2025, a copy of this Declaration has been furnished to Braden K. Ball, Jr., attorney for the plaintiffs, through the Florida Courts E-Filing Portal.





IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

MARC M. MOSZKOWSKI,

Plaintiff,

vs.

Case No.: 2020 CA 001021

RUSTIN R. HOWARD

Division: E

Defendant

and

THOMAS J. JOHNSON,

Defendant

PLAINTIFF MOSZKOWSKI'S ADDRESS TO THE COURT

Hearing, April 27th, 2022 at 10:00 AM CDT

Your Honor,

We are here today not only because my opponents persist, after four long years of stalling, to deny the essential and indispensable information I need to amend my complaint, but also because of an absurd circumstance that is exclusively of their doing, whereas they managed to unhitch the proverbial cart so that it now appears to draw the horse, thus making an absurd litigation even more irrational.

Despite all the procedural sleights of hand, this case addresses real, blatant, and recurrent criminal fraud and abuse on their part.

This case is directly dependent on another case on your docket (No: 2018 CA 000543), which was remanded from U.S. District Court to Florida Circuit Court for an alleged lack of diversity of citizenship, although, quite amazingly, three years after I had removed the case to U.S. District Court, and a year after judgment had been rendered. Please note that the case was remanded despite the total and absolute absence of any new element. Also, quite significantly, the remand occurred a year after this Complaint was filed.

The judgment in U.S. District Court was in my favor for 8 out of 9 counts, the remaining count being in effect moot and undeniably of the highest absurdity. The litigation has been going on for over four years in no less than four Courts of Law and the case files contain more than 5,000 pages, although I can't find in the jurisprudence any equivalent for its absurdity and deceitfulness. In June, 2021, I moved this Court to strike the re-filed complaint as a sham, for there can be no doubt that it is a sham.

In order to obtain redress, I filed the present complaint, after judgment had been rendered, and nearly a year before the case against me was remanded to Florida Circuit Court. I could evidently not have known of the remand at the time of filing. Here, I must observe that although Counsel for my opponents argued that I could not sue "*until an appeal is decided*", the

very same jurisprudence he cited in support of his theory also states very clearly that "*courts are divided on the effect of an appeal*", which in effect clearly invalidates his argument.

I am actively investigating my options regarding the amendment of my complaint. I am referring in particular to the opposing Counsel's contention that I ought to sue the original corporate plaintiff rather than its representatives. Understandably, in order to do so I must first be apprised of the legal status and whereabouts of the alleged foreign plaintiff.

For as many as four years of litigation, I have demanded said information from my opponents, but never obtained it.

I see two possibilities:

A. The foreign entity has current legal existence and a valid foreign address, and therefore my opponents should have been able to readily supply the information since as early as 2018, and I can't see how they shouldn't be severely reprimanded for having denied such mundane information for such a considerable time. In such a case I could consider suing the foreign entity, including in its foreign jurisdiction.

or

B. The foreign entity has no current legal existence and no valid foreign address. Therefore the lack of diversity of citizenship proves to be fraudulent, the remand from U.S. to Florida Circuit Court must be reversed, the judgment in my favor must be reinstated, and Counsel for my opponents ought to be harshly reprimanded for having falsely and fraudulently joined a plaintiff which not only had no current legal existence, but also led to the remand to Florida Circuit Court of a case that had been already judged in U.S. Court one year prior.

I have clearly demonstrated that I am more than willing to amend my complaint for malicious prosecution, abuse of process, breach of contract, fraud, civil conspiracy, and perjury, despite the extraordinary circumstance that my complaint relates to a case that was artificially and frivolously re-filed in this very same Court of Law **ONE YEAR AFTER** I filed my own complaint in response.

My opponents must stop playing on words to evade accountability, be it civil or criminal. For starters, they must finally apprise me at once of the current unadulterated legal status and valid foreign address of the foreign

party they claim to represent, so that I can finally be in a position to amend my complaint.

It is precisely the denial by my opponents of such essential and indispensable legal information that prevents me from filing my amended complaint in a timely manner. Who ever heard of a supposedly foreign plaintiff who stubbornly refuses for four years to reveal any proof of its very foreign existence and a valid foreign address? Would this Court of Law have ever allowed me to file this complaint under some unproven identity and without providing any legal address? Wouldn't such an attempt have been immediately referred to the criminal justice system?

Moreover, as I had suggested in my Motion for Continuance and later during the first hearing, the present case should be frozen (for want of a better term) until after a decision is made on related but **antecedent** case 2018 CA 000543, which was artificially re-introduced on your docket one year **after** the present **dependent** case was filed.

I must add that while it is one thing for an attorney to represent a defendant whose bad faith he has some reason to suspect, it is altogether another to author and sign on behalf of a plaintiff whose bad faith he has every reason

to suspect, a malicious, mendacious, absurd lawsuit devoid of any authentic evidence whatsoever and, to add insult to injury, long past the expiration of the Statute of Limitations, thus wasting not only my time and resources but also those of four Courts of Law, State and Federal. Doesn't some code of professional conduct precisely prohibit lawyers from engaging in such illegitimate representation?

I reiterate that in order to be able to amend my complaint I must first obtain from my opponents the very simple information I have been demanding for more than four years.

I pray your Honor will rightfully compel my opponents to finally provide this piece of essential and indispensable information and will put this case on hold until the antecedent case is decided.

M