

**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 NOTICE — MEDICAL RISK
AND REMOTE APPEARANCE JUSTIFICATION**

COMES NOW Defendant, Marc Moszkowski, and hereby files the attached Supplemental Notice of Medically Documented Risk and Procedural Endangerment. This filing addresses Defendant's ongoing medical condition, financial constraints, and the foreseeable risks associated with the Court's denial of remote appearance. It is submitted in support of Defendant's previously filed motions and to preserve the record for appellate review.

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.



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**SUPPLEMENTAL NOTICE — MEDICAL RISK AND REMOTE
APPEARANCE JUSTIFICATION**

COMES NOW Defendant, Marc Moszkowski, and respectfully submits this supplemental notice to the Court regarding the substantial and foreseeable medical, financial, and procedural risks associated with the Court's insistence on in-person trial attendance, despite existing alternatives under Rule 2.530 of the Florida Rules of General Practice and Judicial Administration.

Defendant has previously submitted medical certifications into the record—filed in U.S. Court, see Exhibit AW—confirming the presence of two large, painful inguinal hernias. One certificate, signed by Dr.

Christian Chilli, expressly advised against extended flights due to Defendant's medical condition. Another recommended immediate surgical intervention. Due to logistical and geographic isolation, Defendant has been unable to obtain surgical care. The condition has deteriorated over the past six years and poses serious risk of collapse, incarceration of the hernias, or other complications while traveling.

Should Defendant attempt to comply with the Court's in-person mandate, he faces not only risk of collapse, but also the financial impossibility of paying for emergency care in the United States, where his minimal French medical coverage does not apply. This is in addition to the \$250 per day he must pay for essential home caretaking services while absent. These risks are medically and procedurally documented, and they are entirely avoidable through the use of remote appearance technology provided for under the law.

Plaintiff, who is the party insisting on in-person trial, has previously admitted in open court that the hiatus, or delay, of 3 years, 3 months, and 3 days was due to his client's inability to pay legal fees—not any action or omission by Defendant. Nevertheless, the Court has

invoked that delay as a principal justification for denying Defendant's request to appear remotely—thereby compounding harm caused by Plaintiff with procedural punishment directed solely at Defendant.

If Defendant suffers medical harm while traveling to comply with this order, the facts on record will show that the Court had full knowledge of his condition, alternatives existed, and Plaintiff had formally acknowledged responsibility for the hiatus and delay. This is not merely a legal issue—it is a foreseeable humanitarian and procedural risk that can and should be avoided through reasonable accommodation.

Respectfully submitted this 15th day of April, 2025

Marc Moszkowski, Pro Se

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m.moszkowski@deepgulf.net

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83300 Châteaudouble, France



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M. Maczkowski



On 4 April 2019, this Court entered an Order requiring Defendant to appear in person for deposition in the Northern District of Florida on or before July 30, 2019.

Since the entry of this Court's 4 April 2019 Order, Defendant has developed a severe medical condition which requires surgery. (See surgeon referral, attached hereto as Exhibit "A").¹ Defendant's medical condition prohibits travel to the United States until after he has recovered from surgery, which is estimated to be late October-early November 2019 due to the nature and limitations of the French Healthcare System.² (See physician certification stating that travel is not advised, attached hereto as Exhibit "B").³

¹ English translation of Exhibit "A":
May 15, 2019

Dear colleague (surgeon),
Please have Mr. Marc MOSZKOWSKI, 65 years old, without particular preexisting condition, examined for two voluminous inguinal hernias, which are painful and reducible.
No medical treatment currently.

Confraternally yours,
[Signature]

² Defendant has a confirmed appointment for pre-surgery evaluation with Dr. Mazarguil at Institut Arnaud Tzanck on Wednesday, October 2nd, at 5 PM. The operation is to be undertaken approximately three weeks later, around October 23rd followed by a two week recovery period.

³ English translation of Exhibit "B":
May 15, 2019

I, the undersigned, CHILLI Christian, doctor of medicine, certify that, given Mr. Marc Moszkowski's current state of health, an extended flight of several hours is ill advised.

Done in Chateaudouble,
[Signature]

Docteur CHILLI Christian

MÉDECINE GÉNÉRALE
PROPHARMACIEN

Place Neuve - 83111 AMPUS

Tél. : 04 94 70 96 88

E-mail : chilli@medisy.fr

Consultations tous les jours sur rendez-vous
Lu, Ma, Me, Ve : 9 h - 11 h sans rendez-vous

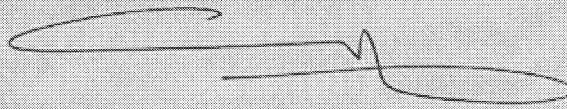
N° 83104991

Le 15 Mai 2019

Cher confrère

Merci de recevoir M. Marc MOSZKOWSKI
Marc, 65 ans sans antécédent particulier
qui présente deux volumineuses hernies
inguinales sensibles et réductibles.
Aucun traitement en cours.

Bien confraternellement.



Docteur CHILLI Christian

MÉDECINE GÉNÉRALE
PROPHARMACIEN

Place Neuve - 83111 AMPUS

Tél : 04 94 70 96 88

E-mail : c.chilli@medsyn.fr

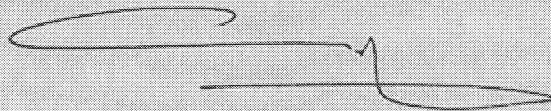
Consultations tous les jours sur rendez-vous
Lu, Ma, Me, Ve : 9 h - 11 h sans rendez-vous

N° 83104991

Le 15 Mai 2019

Je soussigné CHILLI Christian
docteur en médecine certifie que
l'ancien Jare MOSZKOWSKI
présente un état de santé qui déconseille
un vol prolongé en avion de plusieurs
heures.

Fait à Châteaubouk



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