

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 UNREFUTED RESPONSE TO
PLAINTIFF'S STATEMENT OF UNDISPUTED FACTS**

COMES NOW Defendant, Marc Moszkowski, and respectfully submits this Notice to preserve the record of his previously filed Response to Plaintiff's Statement of Undisputed Facts, originally submitted in opposition to Plaintiff's Motion for Summary Judgment.

On January 21st, 2025, Defendant filed a detailed 19-page Response to Plaintiff's Statement of Undisputed Facts, directly refuting fifteen of twenty-four numbered statements, and identifying the remaining nine as truisms. The filing was supported by more than 100 attached documents and cross-referenced exhibits.

To date, Plaintiff has submitted no rebuttal or clarification, and the Court has issued no ruling or order acknowledging the content or substance of Defendant's response. The factual record as challenged by Defendant remains uncontested in the docket.

Defendant files this Notice to preserve the evidentiary and procedural significance of the January 21st filing, and to affirm that the Statement of Undisputed Facts remains factually contested. This issue is preserved for purposes of appellate review.

Respectfully submitted this 14th day of April, 2025

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CERTIFICATE OF SERVICE

I hereby certify that, on this 14th 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