

**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 MOTION TO HOLD TRIAL IN ABEYANCE UNTIL  
RESOLUTION OF THRESHOLD ISSUES**

Defendant, Marc Moszkowski, respectfully moves this Court to hold the scheduled trial in abeyance pending the resolution of critical threshold matters essential to the just adjudication of this case. As grounds, Defendant states:

1. As of May 7, 2025, Defendant has filed eighty-five (86) pleadings in this action, of which no fewer than seventy-three (73) remain unaddressed. These include motions to dismiss for jurisdictional defects, motions for equitable relief, declarations concerning

procedural fraud, and formal objections to the admissibility of Plaintiff's claims.

2. Among the unresolved filings are motions to dismiss for failure to define or substantiate the sole factual basis of the case—an alleged "business opportunity" supposedly misappropriated by Defendant. After eight years of litigation, Plaintiff has yet to define or describe this alleged opportunity with any legal or factual specificity.
3. Defendant has submitted a formal **Declaration of Impossibility and Procedural Injustice**, outlining the medical and logistical barriers that make physical trial attendance impossible. These limitations are documented and have not been rebutted.
4. Defendant has also filed a **Notice of Seventy-Three Unaddressed Submissions**, documenting the systematic failure of the Court to engage with Defendant's filings, while consistently acting on the few submissions made by Plaintiff. This disparity creates the appearance of procedural imbalance.
5. The holding of a trial under these conditions — without discovery, without resolution of dispositive motions, and without any judicial engagement with the record — would constitute a denial of due

process and would function as a constructive dismissal of Defendant's defenses.

6. Defendant respectfully requests that trial be held in abeyance until the Court:

- Rules on all pending dispositive and threshold motions;
- Addresses the unresolved question of remote appearance;
- And determines whether Plaintiff's claims meet the basic pleading standards under Florida law.

**WHEREFORE**, Defendant respectfully moves this Court to suspend any trial proceedings until the above threshold matters are resolved, and to provide clarity regarding the procedural roadmap of the case.

Respectfully submitted on this 8<sup>th</sup> day of May, 2025.

Marc Moszkowski, Pro Se  
Email: [m.moszkowski@deepgulf.net](mailto:m.moszkowski@deepgulf.net)  
Le Verdos  
83300 Châteaudouble, France



## **CERTIFICATE OF SERVICE**

I hereby certify that, on this 8<sup>th</sup> day of May, 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. Maszkowski*