

**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"

RENEWED MOTION TO STAY TRIAL AND PRETRIAL PROCEEDINGS

COMES NOW Defendant, Marc Moszkowski, and respectfully submits this Renewed Motion to Stay Trial and Pretrial Proceedings, and in support states:

I. Introduction

This Motion is submitted as a renewed request for relief following Defendant's prior Motion to Hold Trial in Abeyance until Resolution of Threshold Issues. Since that filing, substantial new procedural developments and material misrepresentations by Plaintiff have reinforced Defendant's position and necessitate urgent reconsideration of the

scheduled trial and pretrial calendar.

Trial is currently set for June 17, 2025. Pretrial proceedings are scheduled for June 10, 2025. However, fundamental procedural and evidentiary matters remain unaddressed. Plaintiff's misleading filings, the Court's non-engagement with dispositive evidence, and the refusal to accommodate Defendant's condition and status have rendered the current trajectory incompatible with the requirements of due process.

II. New Grounds Supporting Stay

A. Mischaracterization of Mediation Proceedings

On May 24, 2025, Plaintiff filed a Notice attaching a letter from mediator H. Wesley Reeder, dated May 21, 2025. That letter states only that Defendant did not pay the required mediation deposit. It does not state whether mediation was held, whether Plaintiff appeared, or whether any resolution was attempted.

Plaintiff's filing omits that Defendant, on April 24, 2025, had written to the mediator explaining his inability to pay and respectfully requesting relief. That letter was acknowledged by the mediator's office but never answered. Plaintiff's filing thus distorts the procedural record by omitting Defendant's

documented objection and by implying, falsely, that mediation was procedurally concluded.

A Notice of Clarification and Objection Regarding Mischaracterization of Mediation was filed by Defendant and docketed on May 24, 2025.

B. Dispositive Motions Denied Without Engagement

On February 10, 2025, the Court conducted a shortened hearing to address multiple dispositive motions. Defendant's Motion to Strike the Complaint as a Sham, filed in June 2021 and based on thirteen enumerated grounds of fabrication, was denied without discussion of a single point. Defendant's Motion for Summary Judgment was likewise denied, while Plaintiff's Motion for Summary Judgment was granted in part.

No written order addressed any factual findings or evidence. The imbalance in procedural treatment is patent. Meanwhile, Plaintiff has never responded to years of documented claims of fabrication. Their silence reflects not legal strategy but either reckless indifference or tacit concession.

III. Imminent Irreparable Harm

To allow trial to proceed without addressing these procedural

irregularities would result in an irreversible miscarriage of justice. Defendant, a pro se litigant located abroad and suffering from a medically untreated condition that renders him physically incapacitated, cannot condense years of filings and hundreds of pages of evidence into a few pressured minutes of courtroom time.

The Court's order denying Defendant's Motion to Strike the Complaint as a Sham consisted of a single sentence: "Defendant's Motion to Strike Complaint as a Sham is hereby DENIED." That ruling failed to acknowledge or assess any of the factual claims raised over the course of four years.

IV. Relief Requested


WHEREFORE, Defendant respectfully requests that this Court:

1. Stay the trial and pretrial proceedings pending full adjudication of outstanding evidentiary motions;
2. Acknowledge and address Defendant's Notice of Clarification regarding mischaracterized mediation;
3. Provide meaningful written rulings on dispositive motions filed over the course of seven years;

4. Grant such further relief as justice may require.

Respectfully submitted on this 28th day of May, 2025.

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CERTIFICATE OF SERVICE

I hereby certify that, on this 28th 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.

