

**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 COMPEL JUDICIAL CONSIDERATION OF
PREVIOUSLY FILED PLEADINGS AND NOTICE OF HEARING
REQUEST**

COMES NOW Defendant, Marc Moszkowski, and respectfully requests that this Honorable Court confirm its willingness to consider the merits of pleadings already properly filed and served in accordance with the Florida Rules of Civil Procedure. In support thereof, Defendant states:

1. Over the course of this litigation, Defendant has filed 119 pleadings to date, including substantive motions, declarations, exhibits, notices, and requests for relief.
2. Of these, at least 100 remain unaddressed on the merits, despite raising material legal and procedural issues central to the claims and

defenses in this action.

3. On the official webpage of the Honorable Judge Jan Shackelford, the following statement appears:

"Due to the high volume of civil cases, the Judge does not automatically receive a copy of every motion filed. It is the responsibility of the moving party to set the motion for a hearing. Merely filing a motion will not bring the matter before the Court."

4. In light of this publicly stated policy, and to dispel any ambiguity, Defendant respectfully moves the Court to confirm whether pleadings properly filed with the Clerk and served upon opposing counsel are in fact reviewed and considered by the Court absent an oral hearing.
5. The question is not academic. If the Court's view is that filed motions are not examined unless formally scheduled for oral argument, then the threshold for accessing judicial review in civil litigation becomes not the act of filing, but the ability to schedule—and argue—a hearing.
6. Defendant, appearing pro se, indigent, and located abroad with uncontested medical constraints, remains at a practical disadvantage even in Zoom-based hearings. These hearings are brief, time-limited, and heavily favor oral presentation over written evidence. Defendant, operating without legal representation, must condense complex issues and thousands of pages of pleadings into a few minutes of

speech, under considerable pressure, with no opportunity for real-time reference to voluminous records, or meaningful rebuttal of procedural mischaracterizations. While Zoom removes geographic barriers, it does not erase the procedural imbalance between a solo litigant and a represented party with local counsel and informal access to chambers.

7. Defendant, who is not a professional of the law, surmises that perhaps Counsel for the Plaintiffs operates along similar rules—namely, that due to the high volume of civil filings, he does not automatically read each of Defendant’s pleadings, and that merely filing a document will not bring the matter to his attention. Regardless of modality, the cumulative effect remains that nearly all of Defendant’s 119 filings have been ignored both substantively and procedurally.¹

¹ Defendant has now spent nearly eight years responding to the same accusations across more than 4,000 pages of pleadings: three years in U.S. District Court, one year in the U.S. Court of Appeals, two years suing the same parties in this Court, and four years defending against the present refiled action. Far from having “absconded,” Defendant has persistently returned to confront his accusers—despite residing beyond the reach of Florida jurisdiction, 5,000 miles away across an ocean still known (for now) as the Atlantic Ocean and not yet the Gulf of Florida. He hereby confirms his continued willingness to confront his adversaries and the process, no matter the odds.

8. Plaintiff is represented by local counsel whose declared practice areas—real estate, wills, and family law—reflect neither the nature nor the complexity of this litigation. The matter before the Court involves multi-jurisdictional corporate structure, transnational contracts, and multilingual evidence accumulated across three continents. It is unclear whether Plaintiff's counsel has ever practiced beyond this Circuit, or whether this case would be sustainable but for his proximity to the courthouse.
9. Defendant seeks the Court's confirmation that the Florida civil docket is not governed by oral performance alone. To wit: whether the act of submitting a motion invokes the Court's duty of review, or whether (as appears to be the case) oral argument is a necessary precondition for judicial attention.
10. Plaintiff, by contrast, has responded to only six of Defendant's 119 pleadings. It is thus not unreasonable to anticipate that Plaintiff may oppose the Court reading them at all.
11. In this surreal posture, the Defendant requests clarity:
- May a litigant presume that the Court will read what has been properly filed?
 - Or must the act of filing be paired with the act of pleading aloud?

- 12.** Defendant respectfully requests a short hearing to argue the proposition that the Court should read the pleadings before it, especially those requesting threshold relief, jurisdictional determinations, or judicial disqualification.
- 13.** Such a hearing would, paradoxically, not concern the merits of any prior motion, but rather the meta-question of whether motions must be heard in order to be read.
- 14.** If the answer is yes, then this motion has served its purpose. If the answer is no, then this motion may be disregarded—but only if read.

WHEREFORE, Defendant respectfully moves this Court to:

- A.** Confirm whether it considers motions and filings on their merits without a hearing being set;
- B.** Alternatively, grant this Motion and schedule a brief hearing so that the Defendant may advocate for the Court to read what he has already written;
- C.** Grant such other and further relief as the Court deems just and proper.

Respectfully submitted on this 2nd day of June, 2025.

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CERTIFICATE OF SERVICE

I hereby certify that, on this 2nd day of June, 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.



NOTICE OF HEARING REQUEST

Defendant respectfully requests that a hearing be scheduled on the above Motion, for the limited purpose of confirming whether the Court will consider written pleadings absent oral presentation. Estimated time required: 15 minutes. Defendant is available on all dates, 8 to 5.