

**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 STATEMENT REGARDING COUNSEL'S  
COMPLICITY IN PROCEDURAL MISREPRESENTATION**

COMES NOW Defendant, Marc Moszkowski, and hereby files the attached Statement titled "Statement Regarding Counsel's Complicity in Procedural Misrepresentation." This document addresses Plaintiff's counsel's repeated reliance on unfounded allegations, failure to acknowledge extensive rebuttals and factual contradictions, and continued perpetuation of a narrative unsupported by evidence. The Statement raises concern regarding counsel's role in enabling procedural misrepresentation and outlines Defendant's intention to preserve these concerns for judicial review and potential ethical evaluation.

Respectfully submitted this 16<sup>th</sup> day of April, 2025

Marc Moszkowski, Pro Se

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### **CERTIFICATE OF SERVICE**

I hereby certify that, on this 16<sup>th</sup> 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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**STATEMENT REGARDING COUNSEL'S COMPLICITY IN  
PROCEDURAL MISREPRESENTATION**

COMES NOW Defendant, Marc Moszkowski, and submits the following statement regarding the role of Plaintiff's counsel in perpetuating and enabling a pattern of misrepresentation, omission, and rhetorical deflection throughout the course of this litigation.

Over the past seven years, Plaintiff's counsel has filed numerous documents accusing Defendant of dishonesty, theft, fraud, and misconduct—none of which have been supported by evidence, clarified by discovery, or updated in light of rebuttals and factual contradictions submitted into the record. These accusations have persisted not only without proof, but without any demonstrated effort

on the part of counsel to verify the accuracy or legitimacy of his client's narrative.

This pattern constitutes more than zealous advocacy. It reflects a conscious choice to repeat claims without correction, to ignore contradictory evidence provided by Defendant, and to shield a procedurally fragile narrative behind a wall of procedural noise and rhetorical repetition. This behavior has not served the pursuit of justice; it has served to deepen the imbalance of power between a well-resourced local plaintiff and an indigent foreign defendant.

Florida attorneys, as officers of the Court, are bound by rules of professional conduct that require candor, diligence, and factual responsibility. Where misrepresentations are made, and subsequently disproved, they must be withdrawn. Where fabricated or contradictory evidence is introduced, it must be investigated, not repeated. Where a claim is shown to lack merit, it must be reconsidered—not refiled in new clothing.

Defendant reserves the right to seek sanctions, raise this conduct on appeal, or refer the matter for ethical review, should Plaintiff's counsel continue to repeat unfounded claims without reference to the

extensive rebuttals and factual record already placed before the Court. At some point, willful blindness becomes complicity—and complicity in procedural deception is not protected by advocacy privilege.

Respectfully submitted this 16<sup>th</sup> day of April, 2025

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