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**FIBA Arbitral Tribunal (FAT)**

## **ARBITRAL AWARD**

**(0097/10 FAT)**

by the

**FIBA ARBITRAL TRIBUNAL (FAT)**

**Mr. Ulrich Haas**

in the arbitration proceedings between

**Ms Natalia Marchanka**, \_\_\_\_\_, Belarus

Represented by Mr Victor Berezov, 8-260 Kravchenko St., 117331 Moscow, Russia

**- Claimant -**

vs.

**BasketBall Investment SSA – Lotos Gdynia Team**, Olimpijska 5, 81-538 Gdynia, Poland

Represented by Mr Mieczyslaw Krawczyk, President

**- Respondent -**



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### **AWARD**

Having ascertained his jurisdiction and considered the factual and legal arguments as well as the requests for relief submitted in this case, the Arbitrator decides as follows:

- 1. BasketBall Investment SSA – Lotos Gdynia Team shall pay to Ms Natalia Marchanka an amount of EUR 8,000.00 in late payment penalties.**
- 2. The costs of this arbitration until the present Award, which were determined by the President of the FAT to be in the amount of EUR 4,000 shall be borne as follows: BasketBall Investment SSA – Lotos Gdynia Team shall bear 90% (EUR 3,600.00) and Ms Natalia Marchanka shall bear 10% (EUR 400.00) of said costs. Accordingly, BasketBall Investment SSA – Lotos Gdynia Team shall pay to Ms Natalia Marchanka EUR 3,600.00.**
- 3. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 4. BasketBall Investment SSA – Lotos Gdynia Team shall pay to Ms Natalia Marchanka an amount of EUR 6,000 as a contribution to her legal fees and expenses.**
- 5. Any other or further requests for relief are dismissed.**

Geneva, seat of the arbitration, 6 December 2010

Ulrich Haas  
(Arbitrator)



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## **FIBA Arbitral Tribunal (FAT)**

### **Notice about Request for Reasons**

in accordance with Article 16.2 of the FAT Rules:

*“By agreeing to submit their dispute to arbitration under these Rules, the Parties agree that, where the value of the dispute does not exceed EUR 30,000, the Arbitrator will issue an award without reasons. The Arbitrator shall deliver reasons only in the case where a party*

- a) files a requests to that effect at any stage from when the Request for Arbitration is filed until no later than ten (10) days after the notification of the award without reasons; and*
- b) pays the respective advance on costs as determined and within the time limit set by the FAT Secretariat.”*

On 18 June 2010 the FAT Secretariat informed the Parties that the amount of the advance on costs to be paid for a reasoned award in this case is EUR 4,000. The time limit for payment thereof shall be set by the FAT Secretariat upon receipt of the Request for Reasons, if any.