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FIBA Arbitral Tribunal (FAT)

ARBITRAL AWARD

(FAT 0113/10)

by the

FIBA ARBITRAL TRIBUNAL (FAT)

Mr. Raj Parker

in the arbitration proceedings between

Magdalena Leciejewska, c/o Victor Berezov Str. 8 – 260, Kravchenko, Moscow, Russia

represented by Victor Berezov Str. 8 – 260, Kravchenko, Moscow, Russia

- Claimant -

vs.

BasketBall Investments SSA – Lotos Gdynia Team, Olimpijska, 81-538 Gdynia, Poland

- Respondent -



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AWARD

Upon providing both parties with an opportunity to be heard, 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 Investments SSA – Lotos Gdynia Team shall pay to Magdalena Leciejewska an amount of 56,000.00 Polish zloty, representing four unpaid salary payments of 14,000.00 Polish zloty each, plus:**
 - a late payment penalty of EUR 6,500.00 for the period from 1 May 2010 to 3 August 2010; and**
 - a late payment penalty of EUR 250.00 per week for each of the four unpaid salary payments, starting from 3 August 2010 until payment.**
- 2. BasketBall Investments SSA – Lotos Gdynia Team shall pay to Magdalena Leciejewska an amount of 25,000.00 Polish zloty for unpaid bonus payments.**
- 3. The costs of this arbitration until the present Award, as determined by the President of the FAT, shall be borne by BasketBall Investments SSA – Lotos Gdynia Team.**
- 4. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 5. BasketBall Investments SSA – Lotos Gdynia Team shall pay to Magdalena Leciejewska an amount of EUR 4,000.00 as a contribution to her legal fees and expenses.**



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6. Any other or further requests for relief are dismissed.

Geneva, seat of the arbitration, 13 October 2010

Raj Parker
(Arbitrator)



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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 request 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 August 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.