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FIBA Arbitral Tribunal (FAT)

ARBITRAL AWARD

(0140/10 FAT)

by the

FIBA ARBITRAL TRIBUNAL (FAT)

Mr Klaus Reichert SC

in the arbitration proceedings between

Court Side, Parkwijklaan 229, 1325 JT Almere, The Netherlands
represented by Mr Marco Damiani

- Claimant -

vs.

Basket Club Ferrara S.r.l., Corso Giovecca nr. 40/B, 44121 Ferrara, Italy
represented by Mr Mario Vigna, Coccia de Angelis Associati,
Piazza Adriana, 15, Rome 00193, Italy

- 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. The costs of this arbitration until the present Award, which were determined by the President of the FAT in the amount of EUR 1,450.00, shall be borne by Basket Club Ferrara S.r.l. The balance of the Advance on Costs, in the amount of EUR 1,050.00, will be reimbursed to Court Side by the FAT.**
- 2. Basket Club Ferrara S.r.l. shall pay to Court Side an amount of EUR 1,500.00 as a contribution to its legal fees and expenses.**
- 3. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 4. Any other or further requests for relief are dismissed.**

Geneva, seat of the arbitration, 17 March 2011

Klaus Reichert
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 25 November 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 5,000. The time limit for payment thereof shall be set by the FAT Secretariat upon receipt of the Request for Reasons, if any.