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**FIBA Arbitral Tribunal (FAT)**

## **ARBITRAL AWARD**

**(0144/10 FAT)**

rendered by

**FIBA ARBITRAL TRIBUNAL (FAT)**

**Mr. Stephan Netzle**

in the arbitration proceedings between

**Mr. Filip Dylewicz**

**- Claimant -**

represented by Ms. Klaudia Tylicka, attorney-at-law,  
Kancelaria Radcy Prawnego Klaudia Tylicka, Ul. Legionow 104D/4, 81-472 Gdynia, Poland

vs.

**S.S. Felice Scandone S.p.A.**

Piazza Liberta 39/A, 83100 Avellino (AV), Italy

**- Respondent -**



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## FIBA Arbitral Tribunal (FAT)

### 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. S.S. Felice Scandone S.p.A. is ordered to pay to Mr. Filip Dylewicz an outstanding bonus in the amount of EUR 5,000.00 plus interest in the amount of EUR 173.29.**
- 2. S.S. Felice Scandone S.p.A. is ordered to pay to Mr. Filip Dylewicz outstanding salaries in the amount of EUR 14,000.00 plus interest in the amount of EUR 372.57.**
- 3. S.S. Felice Scandone S.p.A. is ordered to pay to Mr. Filip Dylewicz the amount of EUR 3,960.00 as a contribution towards his legal costs and expenses. S.S. Felice Scandone S.p.A. shall bear its own legal costs and expenses.**
- 4. The costs of this arbitration until the present Award, which were determined by the President of the FAT in the amount of EUR 3,700.00, shall be borne by S.S. Felice Scandone S.p.A. alone. Accordingly, S.S. Felice Scandone S.p.A. shall pay to Mr. Filip Dylewicz EUR 3,700.00. The balance of the Advance on Costs, in the amount of EUR 1,300.00, will be reimbursed to Mr. Filip Dylewicz by the FAT.**
- 5. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 6. Any other or further requests for relief are dismissed.**



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Geneva, seat of the arbitration, 24 March 2011

Stephan Netze  
(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 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 13 December 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 6,000.00. The time limit for payment thereof shall be set by the FAT Secretariat upon receipt of the Request for Reasons, if any.