



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0159/11)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Raj Parker

in the arbitration proceedings between

Mr. Aleksey Kotishevskiy,

- Claimant -

vs.

KK Radnicki Kragujevac,

Grada Sirena 15, 34 000 Kragujevac, Serbia

- Respondent -

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. KK Radnicki Kragujevac shall pay to Aleksey Kotishevskiy an amount of EUR 22,702.00, representing unpaid salary payments;**
- 2. The costs of this arbitration until the present Award, which were determined by the President of the BAT to be in the amount of EUR 4,000.00 shall be borne by KK Radnicki Kragujevac alone. Accordingly, KK Radnicki Kragujevac shall pay to Aleksey Kotishevskiy EUR 4,000.00.**
- 3. KK Radnicki Kragujevac is ordered to pay to Aleksey Kotishevskiy the amount of EUR 1,500.00 as a contribution towards his legal fees and expenses. KK Radnicki Kragujevac shall bear its own legal fees and expenses.**
- 4. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 5. Any other or further requests for relief are dismissed.**

Geneva, seat of the arbitration, 9 August 2011

Raj Parker
(Arbitrator)

Notice about Request for Reasons

in accordance with Article 16.2 of the BAT 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 BAT Secretariat.”*

On 1 April 2011 the BAT 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 BAT Secretariat upon receipt of the Request for Reasons, if any.