



**BASKETBALL**  
ARBITRAL TRIBUNAL

## **ARBITRAL AWARD**

(BAT 0173/11)

by the

**BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Mr. Ulrich Haas**

in the arbitration proceedings between

**Ms Elisabeth Egnell**

**- Claimant 1 -**

**Mr Sébastien Dekeirel**

**- Claimant 2 -**

both represented by Mr Sébastien Dekeirel

vs.

**SS Pallacanestro Napoli**

Via Celle – Parco Oriani 17/D, 80078 Pozzuoli, Italy

**- Respondent -**

represented by Ms Monica Alpini, Avv.,  
via F. Cavallotti nr 32, 43121 Parma, Italy

### **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. SS Pallacanestro Napoli is ordered to pay Ms Elisabeth Egnell the amount of EUR 800 in respect of a partly outstanding salary payment for January 2011.**
- 2. SS Pallacanestro Napoli is ordered to pay Ms Elisabeth Egnell the amount of EUR 1,900 in penalty fees for the delay in payment of the salary for January 2011.**
- 3. SS Pallacanestro Napoli is ordered to pay Ms Elisabeth Egnell the amount of EUR 12,000 for outstanding salaries from February until 30 April 2011.**
- 4. SS Pallacanestro Napoli is ordered to pay Ms Elisabeth Egnell the amount of EUR 96.70 for travel expenses.**
- 5. SS Pallacanestro Napoli is ordered to pay Ms Elisabeth Egnell the amount of EUR 3,000 as a contribution towards her legal fees and expenses. SS Pallacanestro Napoli shall bear its own legal fees and expenses**
- 6. 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 shall be borne by SS Pallacanestro Napoli. Accordingly, SS Pallacanestro Napoli shall pay Ms Elisabeth Egnell the amount of EUR 2,000.**
- 7. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 8. Any other or further requests for relief are dismissed.**

Geneva, seat of the arbitration, 12 August 2011

Ulrich Haas  
(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 17 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.