



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0187/11)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Ulrich Haas

in the arbitration proceedings between

Mr. Torin Jamal Francis

- Claimant -

represented by Mr. Sébastien Ledure
Five Legal, Boulevard du Régent 37-40, 1000 Brussels, Belgium

vs.

Bornova Belediyesi Spor Kulübü
Büyük Park İçi Hali Saha Yani, Kemalpaşa Cad. 52, İssikent,
Bornova / İzmir, Turkey

- Respondent -

represented by Mr. Mert İldes, General Manager

AWARD

Upon providing both parties with an opportunity to be heard, having ascertained his jurisdiction, examined that the amount in dispute constituted at the time of the Request for Arbitration a dispute within the meaning of Article 16.2 of the BAT Arbitration Rules and considered the factual and legal arguments as well as the requests for relief submitted in this case, the Arbitrator decides as follows:

- 1. Bornova Belediyesi Spor Kulübü is ordered to pay to Mr. Torin Jamal Francis compensation in the amount of USD 42,945.00.**
- 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 4,500.00 shall be borne by Bornova Belediyesi Spor Kulübü alone. Accordingly, Bornova Belediyesi Spor Kulübü shall pay to Mr. Torin Jamal Francis EUR 4,500.00.**
- 3. Bornova Belediyesi Spor Kulübü is ordered to pay to Mr. Torin Jamal Francis the amount of EUR 5,343.75 as a contribution towards his legal fees and expenses. Bornova Belediyesi Spor Kulübü 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. All other or further-reaching prayers for relief are dismissed.**

Geneva, seat of the arbitration, 6 February 2012

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 28 June 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.