

ARBITRAL AWARD

(BAT 0199/11)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Quentin Byrne-Sutton

in the arbitration proceedings between

Kariyer Spor Gida Ilac San. Dis Tic. Ltd.,
Zühtüpassa Mh. Sehirkahya Sk. Pembe Köşk Sitesi A Blok No: 29/9,
Kiziltoprak, Istanbul, Turkey

- Claimant 1 -

CAA Sports,
162, Fifth Avenue, 7th Floor, New York, NY 10010, USA

- Claimant 2 -

Both represented by Mr Ergun Benan Arseven, Moroglu Arseven,
Odakule Kat: 12 Istiklal Cad. No: 142, Beyoglu, Istanbul, Turkey

vs.

Besiktas Jimnastik Kulübü,
Suleyman Seba Caddesi, No. 48 BJK Plaza,
Akaretler, Besiktas, 34357 Istanbul, Turkey

Represented by Mrs Basak Akbas, Attorney-at-Law, Besiktas JK

- Respondent -

AWARD

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. Besiktas Jimnastik Kulübü is ordered to pay CAA Sports outstanding agency fees in the amount of USD 8,100, plus interest at 5% per annum on such amount from 31 October 2009 onwards.**
- 2. Besiktas Jimnastik Kulübü is ordered to pay to Kariyer Spor Gida Ilac San. Dis Tic. Ltd. outstanding agency fees in the amount of USD 5,400, plus interest at 5% per annum on such amount from 5 February 2010 onwards.**
- 3. Besiktas Jimnastik Kulübü is ordered to pay to the Claimants the amount of EUR 2,800 as a contribution towards their legal fees and expenses. Besiktas Jimnastik Kulübü shall bear its own legal fees and expenses.**
- 4. 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 3,050 shall be borne by Besiktas Jimnastik Kulübü alone. Accordingly, Besiktas Jimnastik Kulübü is ordered to pay to the Claimants an amount of EUR 3,050. The balance of the Advance on Costs, in the amount of EUR 950 will be reimbursed to the Claimants by the BAT.**
- 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.**

Geneva, seat of the arbitration, 10 February 2012

Quentin Byrne-Sutton
(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.”*

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.