



**BASKETBALL**  
ARBITRAL TRIBUNAL

## **ARBITRAL AWARD**

**(BAT 0203/11)**

by the

**BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Mr. Stephan Netzle**

in the arbitration proceedings between

**Mr. Nikolaj Tanasiejczuk**

**- Claimant -**

Represented by Mr. Przemyslaw Magaczewski,  
EUROIUS Kancelaria Radcy Prawnego Przemyslaw Magaczewski, ul Sielecka 11,  
42-500 Bedzin, Poland

vs.

**Basketball Investments Sportowa Spółka Akcyjna**

Ul. Olimpijska 5, 81-538 Gdynia, Poland

**- 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. Basketball Investments Sportowa Spółka Akcyjna is ordered to pay to Mr. Nikolaj Tanasiejczuk outstanding compensation in the amount of PLN 15,000.00.**
- 2. Basketball Investments Sportowa Spółka Akcyjna is ordered to pay to Mr. Nikolaj Tanasiejczuk late payment penalties in the amount of PLN 13,200.00.**
- 3. Basketball Investments Sportowa Spółka Akcyjna is ordered to pay to Mr. Nikolaj Tanasiejczuk the amount of EUR 1,500,00 plus PLN 6,851.10 as a contribution towards his legal fees and expenses. Basketball Investments Sportowa Spółka Akcyjna 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 5,000.00 shall be borne by Basketball Investments Sportowa Spółka Akcyjna alone. Accordingly, Basketball Investments Sportowa Spółka Akcyjna shall pay to Mr. Nikolaj Tanasiejczuk EUR 5,000.00.**
- 5. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced by the requesting party.**
- 6. Any other or further requests for relief are dismissed.**

Geneva, seat of the arbitration, 05 December 2011

Stephan Netze  
(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 9 August 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.