

ARBITRAL AWARD

(BAT 0206/11)

by the

Basketball Arbitral Tribunal (BAT)

Mr. Ulrich Haas

in the arbitration proceedings between

Yön Menejerlik ve Eğitim Spor Organizasyon ve Oyuncu Temsilciliği Limited Şirketi

Yıldız Posta Caddesi Gönenolu Sok. Beyazoğlu Apt. No:16/28 Gayrettepe Istanbul, Turkey

- Claimant -

represented by Mrs. Mine Sakmar, Sakmar Law Offices,

Cumhuriyet Cad. Pak. Apt. No: 30 Kat: 5 Daire: 11 Elmadağ, Istanbul, Turkey

vs.

Lucentum Baloncesto Alicante SAD

Conde Soto Ameno 6, Alicante, Spain

- Respondent -

represented by Mr. Luis Castillo García, President

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. Lucentum Baloncesto Alicante SAD is ordered to pay to Yön Menejerlik ve Eğitim Spor Organizasyon ve Oyuncu Temsilciliği Limited Şirketi agent fees in the amount of EUR 24,250.00. Furthermore, Lucentum Baloncesto Alicante SAD is ordered to pay to Yön Menejerlik ve Eğitim Spor Organizasyon ve Oyuncu Temsilciliği Limited Şirketi interest of 5% p.a. on the aforesaid amount since 1 July 2010.**
- 2. Any other or further requests for relief are dismissed.**
- 3. 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 3,988.00 shall be borne by Lucentum Baloncesto Alicante SAD alone. Accordingly, Lucentum Baloncesto Alicante SAD shall pay to Yön Menejerlik ve Eğitim Spor Organizasyon ve Oyuncu Temsilciliği Limited Şirketi EUR 1,988.00.**
- 4. Lucentum Baloncesto Alicante SAD is ordered to pay to Yön Menejerlik ve Eğitim Spor Organizasyon ve Oyuncu Temsilciliği Limited Şirketi the amount of EUR 6,483.00 as a contribution towards its legal fees and expenses. Lucentum Baloncesto Alicante SAD shall bear its own legal fees and expenses.**
- 5. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**

Geneva, seat of the arbitration, 11 November 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 8 September 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.