



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0276/12)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Stephan Netzle

in the arbitration proceedings between

Mr. Christopher J. Kupcunas

- Claimant -

represented by Mr. Sébastien Ledure, Lorenz International Lawyers
Boulevard du Régent 37 – 40, 1000 Brussels, Belgium

vs.

Słupskie Towarzystwo Koszykówki Sportowa Spółka Akcyjna (STK-SSA)

Przemysłowa 35, 76-200 Słupsk, Poland

- Respondent -

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. Słupskie Towarzystwo Koszykówki Sportowa Spółka Akcyjna (STK-SSA) is ordered to pay to Mr. Christopher J. Kupcunas the amount of USD 3,955.00 for outstanding agent fees and late payment penalties plus interest of 5% p.a. on this amount since 31 March 2012.**
- 2. Słupskie Towarzystwo Koszykówki Sportowa Spółka Akcyjna (STK-SSA) is ordered to pay to Mr. Christopher J. Kupcunas the amount of EUR 4,479.20 as a contribution towards his legal costs and expenses.**
- 3. The costs of this arbitration until the present Award, which were determined by the President of the BAT in the amount of EUR 3,500.00 shall be borne by Słupskie Towarzystwo Koszykówki Sportowa Spółka Akcyjna (STK-SSA) alone. Accordingly, Słupskie Towarzystwo Koszykówki Sportowa Spółka Akcyjna (STK-SSA) shall pay to Mr. Christopher J. Kupcunas EUR 3,500.00. The balance of the Advance on Costs, in the amount of EUR 535.22, will be reimbursed to Mr. Christopher J. Kupcunas by the BAT.**
- 4. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 5. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 14 December 2012

Stephan Netzle
(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 12 September 2012 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 5,000.00. The time limit for payment thereof shall be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.