



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0290/12)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Ulrich Haas

in the arbitration proceedings between

Kariyer Spor Gıda İlaç San. Dış Tic. Ltd.

Zühtüpaşa Mh. Şehirkahya Sk. Pembe Köşk Sitesi A Blok No: 29/9,
Kiziltoprak, İstanbul, Turkey

- Claimant -

represented by Mr. Ergun Benan Arseven, Moroğlu Arseven, Turkey

vs.

Beşiktaş Jimnastik Kulübü

Suleyman Seba Caddesi, No. 48 BJK Plaza
Akaretler, Besiktas, 34357 İstanbul, Turkey

- Respondent -

represented by Ms. Basak Akbas, İstanbul, Turkey

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. Beşiktaş Jimnastik Kulübü is ordered to pay to Kariyer Spor Gıda İlaç San. Diş Tic. Ltd. agent fees in the amount of USD 18,880 plus interest at a rate of 5% p.a. as of 1 October 2010 on this amount.**
- 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 4,000, shall be borne by Beşiktaş Jimnastik Kulübü alone. Accordingly, Beşiktaş Jimnastik Kulübü shall pay to Kariyer Spor Gıda İlaç San. Diş Tic. Ltd. EUR 4,000.**
- 3. Beşiktaş Jimnastik Kulübü is ordered to pay to Kariyer Spor Gıda İlaç San. Diş Tic. Ltd. the amount of USD 2,220 and EUR 1,500 as a contribution towards its legal fees and expenses. Beşiktaş Jimnastik 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. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 9 October 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 5 June 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. The time limit for payment thereof shall be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.