



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0307/12)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Klaus Reichert SC

in the arbitration proceedings between

Mr. Ratko Varda

Mr. Guillaume Althoffer

Mr. Miroslav Ilic

- Claimant 1 -

- Claimant 2 -

- Claimant 3 -

vs.

BC Union Olimpija Ljubljana

Celovška cesta 25, 1000 Ljubljana, Slovenia

- Respondent -

represented by Ms. Martina Zaucer, Attorney at Law, Law Firm Kozinc
and partners o.p.d.o.o., Dalmatinova 2, 1000 Ljubljana, Slovenia

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. BC Union Olimpija Ljubljana is ordered to pay to Mr. Ratko Varda outstanding salary in the amount of EUR 14,000.00 net.**
- 2. BC Union Olimpija Ljubljana is ordered to pay to Mr. Guillaume Althoffer and Mr. Miroslav Ilic outstanding agents' fees in the amount of EUR 8,400.00.**
- 3. BC Union Olimpija Ljubljana is ordered to pay to Mr. Ratko Varda, Mr. Guillaume Althoffer and Mr. Miroslav Ilic the amount of EUR 1,500.00 as a contribution towards their legal fees and expenses. BC Union Olimpija Ljubljana 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 2,840.00 shall be borne by BC Union Olimpija Ljubljana alone. Accordingly, BC Union Olimpija Ljubljana is ordered to pay to Mr. Ratko Varda, Mr. Guillaume Althoffer and Mr. Miroslav Ilic EUR 2,840.00. The balance of the Advance on Costs, in the amount of EUR 2,160.00, will be reimbursed to Mr. Ratko Varda, Mr. Guillaume Althoffer and Mr. Miroslav Ilic 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-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 18 December 2012

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 26 July 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.