



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0313/12)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Quentin Byrne-Sutton

in the arbitration proceedings between

Mr. Gintaras Kadziulis

- Claimant -

represented by Mr. Linas Jakas, Attorney at Law,
Law Firm Adlex, Gyneju g. 16, 01109 Vilnius, Lithuania

vs.

KK Buducnost Podgorica

Njegosev Park, 81000 Podgorica, Montenegro

- 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. KK Buducnost Podgorica shall pay Mr. Gintaras Kadziulis the following amounts for unpaid salaries:**
 - **EUR 10,000.00, plus interest at 5% per annum on such amount from 11 May 2011 onwards**
 - **EUR 10,045.00, plus interest at 5% per annum on such amount from 11 June 2011 onwards.**
- 2. KK Buducnost Podgorica shall pay Mr. Gintaras Kadziulis an amount of EUR 3,315.00 as compensation for his legal fees and expenses.**
- 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 2,560.00, shall be borne by KK Buducnost Podgorica alone. Accordingly, KK Buducnost Podgorica shall pay to Mr. Gintaras Kadziulis EUR 2,560.00. The balance of the Advance on Costs, in the amount of EUR 2,440.00 will be reimbursed to Mr. Gintaras Kadziulis 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, 28 November 2012

Quentin Byrne-Sutton
(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 13 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. The time limit for payment thereof shall be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.