

ARBITRAL AWARD

(BAT 0325/12)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Quentin Byrne-Sutton

in the arbitration proceedings between

Mr. Curtis Alan Donald

- Claimant -

vs

Xinjiang Guanghui Flying Tigers Basketball Club
N° 136, East Wenquan Road
Urumqi 830017, P.R. China

- Respondent -

represented by Ms. Wang Wei, attorney at law,
Beijing Dacheng (Jinan) Law Offices, 0302 No. 10 Shuntai Square,
No. 2000 Shunhua Road, Jinan 250101, P.R. China

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. Xinjiang Guanghui Flying Tigers Basketball Club shall pay Mr. Curtis Alan Donald the following amounts as compensation for unpaid salaries:**
 - **USD 4,000.00, plus interest at 5% per annum on such amount from 2 June 2012 onwards;**
 - **USD 4,000.00, plus interest at 5% per annum on such amount from 2 July 2012 onwards;**
 - **USD 4,000.00, plus interest at 5% per annum on such amount from 2 August 2012 onwards; and**
 - **USD 4,000.00, plus interest at 5% per annum on such amount from 2 September 2012 onwards.**

- 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 3,975.00 shall be borne by Xinjiang Guanghui Flying Tigers Basketball Club alone. Accordingly, Xinjiang Guanghui Flying Tigers Basketball Club shall pay to Mr. Curtis Alan Donald EUR 1,990.00 being the amount of the arbitration costs advanced by him.**

- 3. Xinjiang Guanghui Flying Tigers Basketball Club shall pay Mr. Curtis Alan Donald an amount of EUR 1,500.00 as compensation for his 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, 25 February 2013

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 23 October 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.