



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0339/12)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Raj Parker

in the arbitration proceedings between

Mr. Bryan Davis

- Claimant -

represented by Mr. Michael Naiditch,

vs.

BC Kryvbasbasket
Volosevicha Str, 1-E, Krivoy Rog 50007, Ukraine

- Respondent -

represented by its President, Mr. A.G. Buryak

AWARD

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 Kryvbasbasket is ordered to pay to Mr. Bryan Davis outstanding salary in the amount of USD 3,000.**
- 2. BC Kryvbasbasket is ordered to pay to Mr. Bryan Davis late payment penalties in the amount of USD 3,000.**
- 3. Each party 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 5,000, shall be borne equally by the parties. Accordingly, BC Kryvbasbasket shall pay to Mr. Bryan Davis the amount of EUR 2,500.**
- 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, 14 June 2013

Raj Parker
(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 November 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.