

## **ARBITRAL AWARD**

**(BAT 0355/12)**

by the

### **BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Mr. Stephan Netzle**

in the arbitration proceedings between

**Mr. Derrick Powel**

**Mr. Andy Bountogiannis**

**Double B Management**

All represented by Mr. Socrates Labropoulos, attorney-at-law,  
17 Pyrrou Str., 145 64 Athens, Greece

vs.

**Besiktas Jimnastik Kulübü**

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

Represented by Mr. Emin Ozkurt, attorney-at-law,  
Ozkurt Law Office, İnönü Caddesi, Gözcü Apartmanı, No: 35, Kat: 2,  
Gümüssuyu, Beyoglu, Istanbul, Turkey

- Claimant 1 -

- Claimant 2 -

- Claimant 3 -

- Respondent -

## **AWARD**

Upon providing all 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. Besiktas Jimnastik Kulübü is ordered to pay jointly to Mr. Derrick Powel, Mr. Andy Bountogiannis and Double B Management the outstanding agent fee in the amount of USD 15,000.00 plus interest on this amount at a rate of 5% p.a. since 24 October 2012.**
- 2. Besiktas Jimnastik Kulübü is ordered to pay jointly to Mr. Derrick Powel, Mr. Andy Bountogiannis and Double B Management the amount of EUR 5,385.00 as a contribution towards their legal fees and expenses. Besiktas Jimnastik Kulübü shall bear its own 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 4,511.17, shall be borne by Besiktas Jimnastik Kulübü alone. Accordingly, Besiktas Jimnastik Kulübü shall pay jointly to Mr. Derrick Powel, Mr. Andy Bountogiannis and Double B Management EUR 4,511.17.**
- 4. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced by the requesting party.**
- 5. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 28 May 2013

Stephan Netzle  
(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 4 February 2013, 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 5,000.00. The time limit for payment thereof shall be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.