



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0368/13)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Ulrich Haas

in the arbitration proceedings between

Ms. Tangel Smith

- Claimant -

represented by Messrs. Salim Baki and Ersel Aldabak, attorneys at law,
Inönü Cd. No:3 D:13 Sahrayicedid, Kadiköy, Istanbul, Turkey

vs.

Tarsus Belediye Spor Kulübü
Mehmet Çelebi Kapalı Spor Salonu Şehit İshak
Mah. 3310 Sk. No:1 / 6, Tarsus, Turkey

- 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. Tarsus Belediye Spor Kulübü is ordered to pay to Ms. Tangela Smith the amount of USD 14,650 for unpaid salary plus interest of 5% per annum**
 - a. on the amount of USD 5,650 from 21 March 2012; and**
 - b. on the amount of USD 9,000 from 16 April 2012.**
- 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 5,000, shall be borne by Tarsus Belediye Spor Kulübü alone. Accordingly, Tarsus Belediye Spor Kulübü shall pay to Ms. Tangela Smith EUR 2,500.**
- 3. Tarsus Belediye Spor Kulübü is ordered to pay to Ms. Tangela Smith the amount of EUR 3,217 as a contribution towards her legal fees and expenses. Tarsus Belediye Spor Kulübü shall bear its own 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, 10 September 2013

Ulrich Haas
(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 5 March 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. The time limit for payment thereof shall be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.