



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0390/13)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Ulrich Haas

in the arbitration proceedings between

Mr. Kenny Gabriel

- Claimant 1 -

Mr. Happy Walters

Relativity Sports, 9242 Beverly Blvd, Suite 300, Beverly Hills,
CA 90210, USA

- Claimant 2 -

Mr. Elias Diamantopoulos

- Claimant 3 -

vs.

PROTEAS AEL LIMASSOL Basketball Club
Georgiou Thiroton 1, 3012 Limassol, Cyprus

- 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. PROTEAS AEL Limassol Basketball Club is ordered to pay to Mr. Kenny Gabriel the amount of USD 13,661.31 for unpaid salary and EUR 1,950 for late payment penalty. Furthermore, PROTEAS AEL Limassol Basketball Club is ordered to pay to Mr. Kenny Gabriel interest of 5% per annum on the aforementioned amounts from 22 February 2013.**
- 2. PROTEAS AEL Limassol Basketball Club is ordered to pay to Mr. Happy Walters the amount of USD 750 for unpaid agent fees and EUR 150 for late payment penalty. Furthermore, PROTEAS AEL Limassol Basketball Club is ordered to pay to Mr. Happy Walters interest of 5% per annum on the aforementioned amounts from 22 February 2013.**
- 3. PROTEAS AEL Limassol Basketball Club is ordered to pay to Mr. Elias Diamantopoulos the amount of USD 750 for unpaid agent fees and EUR 150 for late payment penalty. Furthermore, PROTEAS AEL Limassol Basketball Club is ordered to pay to Mr. Elias Diamantopoulos interest of 5% per annum on the aforementioned amounts from 22 February 2013.**
- 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 3,952, shall be borne by PROTEAS AEL Limassol Basketball Club alone. Accordingly, PROTEAS AEL Limassol Basketball Club shall pay jointly to Mr. Kenny Gabriel, Mr. Happy Walters and Mr. Elias Diamantopoulos EUR 3,952.**
- 5. PROTEAS AEL Limassol Basketball Club is ordered to pay jointly to Mr. Kenny Gabriel, Mr. Happy Walters and Mr. Elias Diamantopoulos the amount of EUR 1,500 as a contribution towards their legal fees and expenses. PROTEAS AEL Limassol Basketball Club shall bear its own legal fees and expenses.**

- 6. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 7. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 09 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 3 June 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.