

ARBITRAL AWARD

(BAT 0408/13)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Ms. Annett Rombach

in the arbitration proceedings between

Yön Menejerlik Egitim Spor Organizasyon ve Oyuncu Temsilciligi Limited Sirketi

Yıldız Posta Caddesi, Gönenoglu Sok., Beyazoglu Apt., No: 16/28, Gayrettepe, Istanbul, Turkey

- Claimant -

represented by Mr. Hayri Ögelman,
Sakmar Law Offices, Cumhuriyet Cad., Pak. Apt., No: 30,
Kat: 5, Daire: 11 Elmadag, Istanbul, Turkey

vs.

Aliaga Genclik ve Spor Kulübü Dernegi

Aliaga Genclik ve Spor Kulübü Idare Müdürlüğü,
Aliaga Belediyesi Enka Spor Tesisleri, Aliaga, 35800 Izmir, Turkey

- Respondent -

AWARD

Upon providing both parties with an opportunity to be heard, having ascertained her 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. Aliaga Genclik ve Spor Kulübü Derneği is ordered to pay to Yön Menejerlik Egitim Spor Organizasyon ve Oyuncu Temsilciligi Limited Sirketi USD 3,500.00 net together with interest of 5% p.a. from 2 October 2012.**
- 2. Aliaga Genclik ve Spor Kulübü Derneği is ordered to pay to Yön Menejerlik Egitim Spor Organizasyon ve Oyuncu Temsilciligi Limited Sirketi interest of 5% p.a. on the amount of USD 10,000.00 from 2 October 2012 until 27 May 2013.**
- 3. Aliaga Genclik ve Spor Kulübü Derneği is ordered to pay to Yön Menejerlik Egitim Spor Organizasyon ve Oyuncu Temsilciligi Limited Sirketi EUR 1,470.00 and USD 1,000.00 as a contribution towards its 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 2,483.00, shall be borne by Aliaga Genclik ve Spor Kulübü Derneği alone. Accordingly, Aliaga Genclik ve Spor Kulübü Derneği is ordered to pay to Yön Menejerlik Egitim Spor Organizasyon ve Oyuncu Temsilciligi Limited Sirketi EUR 2,483.00.**
- 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.**



BASKETBALL
ARBITRAL TRIBUNAL

Geneva, seat of the arbitration, 7 January 2014

Annett Rombach
(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 8 July 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.