



**BASKETBALL**  
ARBITRAL TRIBUNAL

## **ARBITRAL AWARD**

**(BAT 0450/13)**

by the

**BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Mr. Stephan Netzle**

in the arbitration proceedings between

**Mr. Simone Berti**

represented by Mr. Giuseppe Cassi, attorney at law,  
Via Archimede 18, 97100 Ragusa, Italy

**- Claimant -**

vs.

**Basket Veroli S.S.D. a r.l.**

Parco della Rimembranza 51, 03029 Veroli (FR), Italy

**- Respondent -**

represented by Mr. Massimo Uccioli, President

## **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. Basket Veroli S.S.D. a r.l. is ordered to pay to Mr. Simone Berti the amount of EUR 16,934.70 net as outstanding salary.**
- 2. Basket Veroli S.S.D. a r.l. is ordered to pay to Mr. Simone Berti interest of 5% p.a.**
  - on the amount of EUR 4,046.00 from 26 April 2013 to 8 November 2013,**
  - on the amount of EUR 1,934.70 since 9 November 2013,**
  - on the amount of EUR 5,000.00 since 26 May 2013,**
  - on the amount of EUR 5,000.00 since 26 June 2013,**
  - on the amount of EUR 5,000.00 since 26 July 2013.**
- 3. Basket Veroli S.S.D. a r.l. is ordered to pay to Mr. Simone Berti the amount of EUR 5,000.00 as a contribution towards his legal fees and expenses. Basket Veroli S.S.D. a r.l. 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 3,105.00, shall be borne by Basket Veroli S.S.D. a r.l. alone. Accordingly, Basket Veroli S.S.D. a r.l. shall pay to Mr. Simone Berti the amount of EUR 3,105.00. The balance of the Advance on Costs, in the amount of EUR 895.00, will be reimbursed to Mr. Simone Berti by the BAT.**
- 5. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced by the requesting party.**
- 6. Any other or further-reaching requests for relief are dismissed.**



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Geneva, seat of the arbitration, 10 April 2014

Stephan Netze  
(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 30 October 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.