

ARBITRAL AWARD

(BAT 0496/13)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Ms. Annett Rombach

in the arbitration proceedings between

Ms. Doneeka Danyell Hodges Lewis

Mr. Ali Ibrahim Yücel

Huzur Mah. Kültür Sok. 18/7 Şişli, İstanbul, Turkey

- Claimants -

both represented by Ms. Nihal Yildirim, attorney at law
Kugay & Partners, Beyaz Karanfil Sok. No. 39 Levent, İstanbul, Turkey

vs.

Canik Belediyesi Spor Kulübü

Gaziosmanpasa Mah. Muhammet İkbâl Cad. No. 51 (Baumax yanı),
Canik Samsun, Turkey

- Respondent -

represented by Mr. Ercan Bayrak, President

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. Canik Belediyesi Spor Kulübü is ordered to pay to Ms. Doneeka Danyell Hodges Lewis USD 20,500.00 net together with interest of 5% p.a.:**
 - from 21 December 2012 on the amount of USD 1,000.00;
 - from 21 January 2013 on the amount of USD 1,000.00;
 - from 11 March 2013 on the amount of USD 10,000.00; and
 - from 23 December 2013 on the amount of USD 8,500.00.
- 2. Canik Belediyesi Spor Kulübü is ordered to pay to Mr. Ali Ibrahim Yücel USD 9,500.00 net together with interest of 5% p.a. from 26 November 2012.**
- 3. Canik Belediyesi Spor Kulübü is ordered to pay to Ms. Doneeka Danyell Hodges Lewis and Mr. Ali Ibrahim Yücel, jointly and severally, USD 3,750.00 and EUR 1,488.00 as a contribution towards their 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 4,260.00, shall be borne by Canik Belediyesi Spor Kulübü alone. Accordingly, Canik Belediyesi Spor Kulübü is ordered to pay to Ms. Doneeka Danyell Hodges Lewis and Mr. Ali Ibrahim Yücel, jointly and severally, EUR 4,260.00. The balance of the Advance on Costs, in the amount of EUR 670.80, will be reimbursed by the BAT to Ms. Doneeka Danyell Hodges Lewis and Mr. Ali Ibrahim Yücel.**
- 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.

Geneva, seat of the arbitration, 5 August 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 10 February 2014 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.