

**ARBITRAL AWARD**

**(BAT 0802/16)**

by the

**BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Mr. Ulrich Haas**

in the arbitration proceedings between

**Mr. Drazen Bubnic**

**- Claimant -**

represented by Ms. Mateja Koncan Verstovsek, attorney at law,  
Ljubljanska cesta 13B, 1236 Trzin, Slovenia

vs.

**Kosarkarski Klub Olimpija Ljubljana (Union Olimpija Ljubljana)**  
Vojkova cesta 100, 1000 Ljubljana, Slovenia

**- Respondent -**

represented by Odvetniska družba Kozinc in partnerji o.p., d.o.o.  
Dalmatinova 2, 1000 Ljubljana, Slovenia

## **AWARD**

Upon providing all 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. Kosarkarski Klub Olimpija Ljubljana (Union Olimpija Ljubljana) is ordered to pay to Mr. Drazen Bubnic the amount of EUR 18,957.63 net plus interest at the rate of 5% p.a. as follows:**
  - a. on the amount of EUR 600.00 from 16 October 2013,**
  - b. on the amount of EUR 3,467.00 from 16 March 2014,**
  - c. on the amount of EUR 5,000.00 from 16 April 2014,**
  - d. on the amount of EUR 4,500.00 from 16 May 2014,**
  - e. on the amount of EUR 5,000.00 from 16 June 2014,**
  - f. on the amount of EUR 390.63 from 26 November 2014.**
- 2. Kosarkarski Klub Olimpija Ljubljana (Union Olimpija Ljubljana) is ordered to pay to Mr. Drazen Bubnic the amount of EUR 4,335.00 as a contribution towards his legal fees and expenses. Kosarkarski Klub Olimpija Ljubljana (Union Olimpija Ljubljana) shall bear its own legal fees and expenses.**
- 3. 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 5,000.00, shall be borne by Kosarkarski Klub Olimpija Ljubljana (Union Olimpija Ljubljana) alone. Accordingly, Kosarkarski Klub Olimpija Ljubljana (Union Olimpija Ljubljana) shall pay to Mr. Drazen Bubnic the amount of EUR 5,000.00.**
- 4. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced by the requesting party.**
- 5. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 30 September 2016

Ulrich Haas  
(Arbitrator)

### **Notice about Request for Reasons**

in accordance with Articles 16.2.1 and 16.2.2 of the BAT Rules:

*“16.2.1 By agreeing to submit their dispute to arbitration under these Rules, the Parties agree that,*

- a) where the value of the dispute does not exceed EUR 30,000, the Arbitrator will issue an award without reasons.*
- b) where the value of the dispute is between EUR 30,001 and EUR 200,000, and a Respondent fails to pay its share of an advance on costs, upon request by a Claimant the Arbitrator may decide to issue an award without reasons and reduce the advance on costs in accordance with Article 9.3.1 above.*

*16.2.2 If Article 16.2.1(a) applies or if the Arbitrator decides to issue an award without reasons in accordance with Article 16.2.1(b), the Arbitrator shall deliver reasons only if 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 28 October 2015, 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.