

ARBITRAL AWARD

(BAT 0809/16)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Raj Parker

in the arbitration proceedings between

Mr. Andrija Stipanovic

- Claimant -

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

vs.

Club Basket Juvecaserta s.r.l.
PalaMaggio, Via Sannitica – loc. Pezza dele Noci,
81020 Castel Morrone CE, Italy

- Respondent -

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. Club Basket Juvecaserta s.r.l. is ordered to pay to Mr. Andrija Stipanovic EUR 7,300.00 net in respect of unpaid salary together with interest of 5% per annum from 29 February 2016.**
- 2. Club Basket Juvecaserta s.r.l. is ordered to pay to Mr. Andrija Stipanovic EUR 3,150.00 as a contribution towards his 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 3,500 shall be borne 90% by Club Basket Juvecaserta s.r.l. and 10% by Mr. Andrija Stipanovic. Accordingly, Club Basket Juvecaserta s.r.l. is ordered to pay to Mr. Andrija Stipanovic EUR 3,150.00 as reimbursement for the advance on costs.**
- 4. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 5. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 10 November 2016

Raj Parker
(Arbitrator)

Notice about Request for Reasons

in accordance with Article 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 21 April 2016, 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.