

ARBITRAL AWARD

(BAT 0761/15)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Ulrich Haas

in the arbitration proceedings between

Ms. Donica Ayana Cosby,

- Claimant 1 -

Mr. Lorenzo Galotti,
Via Boldori 12, 26100 Cremona, Italy

- Claimant 2 -

represented by Mr. Sergiu-Valentin Gherdan, attorney at law,
Cantemir Str no. 19, bl. C19, ap. 13, 410473 Oradea City, Bihor county, Romania

vs.

**MMKS Katarzynki Energa Torun (Miejski Międzyszkolny Klub Sportowy “Katarzynki”
Torun),**
35/2 Matejki, 87-100 Torun, Poland

- Respondent -

represented by Mr. Maciej Krystek, President and Mr. Piotr Rzepka, Administrative Office

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. MMKS Katarzynki Energa Torun (Miejski Międzyszkolny Klub Sportowy “Katarzynki” Torun) is ordered to pay to Ms. Donica Ayana Cosby the amount of USD 13,000.00 net for outstanding salary, plus interest at a rate of 5% p.a. from 22 September 2015.**
- 2. MMKS Katarzynki Energa Torun (Miejski Międzyszkolny Klub Sportowy “Katarzynki” Torun) is ordered to pay to Ms. Donica Ayana Cosby the amount of USD 100.00 net for reimbursement of costs, plus interest at a rate of 5% p.a. from 22 September 2015.**
- 3. MMKS Katarzynki Energa Torun (Miejski Międzyszkolny Klub Sportowy “Katarzynki” Torun) is ordered to pay to Mr. Lorenzo Gallotti the amount of USD 1,700.00 for outstanding agent fee, plus interest at a rate of 5% p.a. from 31 December 2015.**
- 4. MMKS Katarzynki Energa Torun (Miejski Międzyszkolny Klub Sportowy “Katarzynki” Torun) is ordered to pay jointly to Ms. Donica Ayana Cosby and Mr. Lorenzo Gallotti the amount of EUR 4,920.00 as a contribution to their legal fees and expenses. MMKS Katarzynki Energa Torun (Miejski Międzyszkolny Klub Sportowy “Katarzynki” Torun) shall bear its own legal fees and expenses.**
- 5. 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 4,000.00, shall be borne by MMKS Katarzynki Energa Torun (Miejski Międzyszkolny Klub Sportowy “Katarzynki” Torun). Accordingly, MMKS Katarzynki Energa Torun (Miejski Międzyszkolny Klub Sportowy “Katarzynki” Torun) shall pay jointly to Ms. Donica Ayana Cosby and Mr. Lorenzo Gallotti the amount of EUR 4,000.00.**



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- 6. Any arbitration costs associated with a Request for Reason (see attached Notice) shall be advanced by the requesting party.**
- 7. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 10 May 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 23 November 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 6,500.00. The time limit for payment thereof shall be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.