

ARBITRAL AWARD

(BAT 0831/16)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Stephan Netzle

in the arbitration proceedings between

Mr. Ilija Milutinovic

- Claimant -

represented by Dr. András Németh, attorney at law,
5 Szabadsag Str., 7623 Pecs, Hungary

vs.

JSK Kairouan Tunisian Club, (Jeunesse Sportive Kairouanaise)

Cité Commerciale No. 2, B.P. 39, 3100 Kairouan, Tunisia

- Respondent -

represented by Mr. Slim Bchir, Secretary General

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. JSK Kairouan Tunisian Club is ordered to pay to Mr. Ilija Milutinovic the amount of USD 11,185.00 net, plus interest of 5% p.a. since 29 February 2016.**
- 2. 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 3,320.00, shall be borne by JSK Kairouan Tunisian Club. Accordingly JSK Kairouan Tunisian Club is ordered to pay to Mr. Ilija Milutinovic the amount of EUR 820.00 as a reimbursement of the advance on arbitration costs. The balance of the Advance on Costs, in the amount of EUR 1,680.00, will be reimbursed to Mr. Ilija Milutinovic by the BAT.**
- 3. JSK Kairouan Tunisian Club is ordered to pay to Mr. Ilija Milutinovic the amount of EUR 4,000.00 as a contribution to his legal fees and expenses.**
- 4. Any other or further-reaching claims for relief are dismissed.**

Geneva, seat of the arbitration, 26 September 2016

Stephan Netzle
(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 13 May 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 5,000.00. The time limit for payment thereof shall be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.