



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 1104/17)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Raj Parker

in the arbitration proceedings between

David Devoe Joseph

- First Claimant -

EPM Sport Consultants Limited
68, Fitzwilliam Square, Dublin 2, Ireland

- Second Claimant -

represented by Giovanni Allegro, attorney at law, Via S.C. Alessandrina n. 9 – 84125
Salerno, Italy

vs.

Asociacion Civil Bucaneros De La Guaira Basketball Club
Av. Francisco de Miranda Centro Comercial Puerta de Este, Messanina, Local 2-A Los
Ruices, Caracas, Venezuela

- Respondent -

Upon providing all parties with an opportunity to be heard, having examined 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. Asociacion Civil Bucaneros De La Guaira Basketball Club shall pay David Devoe Joseph USD 18,000 as unpaid contractual remuneration and contractual late payment penalties.**
- 2. Asociacion Civil Bucaneros De La Guaira Basketball Club shall pay David Devoe Joseph interest at 5% per annum on the amount of USD 12,000 from the date of this Award until payment.**
- 3. Asociacion Civil Bucaneros De La Guaira Basketball Club shall pay EPM Sport Consultants Limited USD 3,306 as unpaid contractual fees, plus interest at 5% per annum until payment on the following amounts:**
 - a. USD 400 from 21 March 2017;**
 - b. USD 400 from 4 April 2017;**
 - c. USD 400 from 18 April 2017;**
 - d. USD 400 from 2 May 2017;**
 - e. USD 400 from 16 May 2017;**
 - f. USD 400 from 30 May 2017;**
 - g. USD 400 from 13 June 2017;**
 - h. USD 400 from 27 June 2017; and**
 - i. USD 106 from 1 July 2017**
- 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 5,041.44, shall be borne by Asociacion Civil Bucaneros De La Guaira Basketball Club alone. Accordingly, Asociacion Civil Bucaneros De La Guaira Basketball Club shall pay a total of Euro 5,041.44 jointly to David Devoe Joseph and EPM Sport Consultants Limited.**

5. **Asociacion Civil Bucaneros De La Guaira Basketball Club shall pay David Defoe Joseph and EPM Sports Consultants Limited a total of EUR 4,000.00 as a contribution to their legal fees and expenses.**
6. **Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
7. **Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 14 May 2018

Raj Parker
(Arbitrator)

Notice about Request for Reasons

in accordance with Articles 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 100,000, the Arbitrator shall issue an award without reasons, provided, however, that the Arbitrator shall deliver reasons 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.”*

The Parties are herewith informed that the amount to be paid as an advance on costs for a reasoned award in this case has been set by the BAT Secretariat to **EUR 5,000.00**. The time limit for payment thereof will be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.