

## **ARBITRAL AWARD**

**(BAT 1247/18)**

by the

### **BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Mr. Klaus Reichert SC**

in the arbitration proceedings between

**Mr. Calvin Harris**

**- Claimant -**

represented by Mr. Benjamin J. Pensack,  
1000 Shelter Bay Ave. Suite #1109,  
Mill Valley, CA 94941, USA

vs.

**Sakarya Büyükşehir Belediye Basketbol Spor Kulübü**  
İstiklal Mah.  
Ozan Sol. No. 27 / B  
Serdivan – Sakarya, Turkey

**- Respondent -**

represented by Mr. Deniz Kalafat, attorney at law,  
Üsküp Caddesi, No: 24/10, Çankaya, Ankara, Turkey

## **AWARD**

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. Sakarya Büyükşehir Belediye Basketbol Spor Kulübü is ordered to pay Mr. Calvin Harris USD 78,000.00, net, by way of unpaid salary and bonuses together with interest at 5% per annum from 29 August 2018 until payment in full.**
- 2. Sakarya Büyükşehir Belediye Basketbol Spor Kulübü is ordered to pay Mr. Calvin Harris USD 8,250.00 by way of penalties.**
- 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 2,800.00 shall be borne by Sakarya Büyükşehir Belediye Basketbol Spor Kulübü alone. Accordingly, Sakarya Büyükşehir Belediye Basketbol Spor Kulübü shall pay EUR 2,800.00 to Mr. Calvin Harris. The balance of the Advance on Costs, in the amount of EUR 3,237.34, will be reimbursed to Mr. Calvin Harris by the BAT.**
- 4. Sakarya Büyükşehir Belediye Basketbol Spor Kulübü is ordered to pay Mr. Calvin Harris EUR 7,330.00 as a contribution to his legal fees and expenses.**
- 5. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party**
- 6. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 7 November 2018

Klaus Reichert  
(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.