

## **ARBITRAL AWARD**

**(BAT 0987/17)**

by the

**BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Mr. Rhodri Thomas**

in the arbitration proceedings between

**Gaziantep Basketbol ve Spor A.S**

Osmangazi Mahallesi 56060, Nolu Cadde No:60/1, Şehitkamil / Gaziantep  
Turkey

**- Claimant -**

vs.

**Basketball Club AEK NEA KAE Athens**

466 Irakleiou and Kuprou, Herakleion Attica, 14122 Athens  
Greece

**- Respondent -**

## **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. Basketball Club AEK NEA KAE Athens is ordered to pay Gaziantep Basketbol ve Spor A.S EUR 20,000.00 as compensation for unpaid buy-out fees.**
- 2. Basketball Club AEK NEA KAE Athens is ordered to pay Gaziantep Basketbol ve Spor A.S EUR 1,500.00 as compensation for late payment 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 3,155.00, shall be borne 75% by Basketball Club AEK NEA KAE Athens and 25% by Gaziantep Basketbol ve Spor A.S. Accordingly, EUR 1,711.25 of the balance of the Advance on Costs will be reimbursed to Gaziantep Basketbol ve Spor A.S by the BAT, and the remainder of the balance of the Advance on Costs, in the amount of EUR 133.75, will be reimbursed to Basketball Club AEK NEA KAE Athens by the BAT.**
- 3 Basketball Club AEK NEA KAE Athens is ordered to pay to Gaziantep Basketbol ve Spor A.S EUR 1,500.00 as a contribution towards its legal 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 October 2017

Rhodri Thomas  
(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**. The time limit for payment thereof will be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.