

ARBITRAL AWARD

(BAT 903/16)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Stephan Netze

in the arbitration proceedings between

Mr. Rakim Sanders

c/o Mr. Giovanni Allegro, Via S.C. Alessandria n.9, 84125 Salerno, Italy

- Claimant -

Represented by Mr. Giovanni Allegro, attorney at law,
Via S.C. Alessandria n.9, 84125 Salerno, Italy

vs.

Dinamo Sassari s.r.l.

Via Pietro Nenni 2/22, 07100 Sassari Italy

- Respondent -

Represented by Mr. Mario Vigna and Mr. Francisco A. Larios, attorneys at law,
Piazza Adriana 15, 00193 Rome, Italy

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. The claim of Mr. Rakim Sanders against Dinamo Sassari s.r.l. is dismissed.**
- 2. The costs of this arbitration for the present Award, which were determined by the President of the BAT to be in the amount of EUR 5,000.00, shall be borne by Mr. Rakim Sanders.**
- 3. Mr. Rakim Sanders is ordered to pay to Dinamo Sassari s.r.l. the amount of EUR 4,000.00 as a contribution to its legal fees and expenses.**
- 4. Any other or further-reaching claims for relief are dismissed.**

Geneva, seat of the arbitration, 29 June 2017

Stephan Netze
(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 6 December 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.