

ARBITRAL AWARD

(BAT 0884/16)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Klaus Reichert SC

in the arbitration proceedings between

Mr. Szymon Szewczyk

- Claimant -

represented by Ms. Justyna Radke, attorney at law,
ul. Wojska Polskiego 31, 87-800 Włocławek, Poland

vs.

Stelmet Zielona Góra BC / Grono Sportowa Spółka Akcyjna
ul. Szosa Kisielińska 22 65-247 Zielona Góra, Poland

- Respondent -

represented by Mr. Adam Goliński, attorney at law,
ul. Żeromskiego 19/1, 65-066 Zielona Góra, Poland

AWARD

Upon providing all 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. Stelmet Zielona Gora BC / Grono Sportowa Spółka Akcyjna is ordered to pay Mr. Szymon Szewczyk PLN 25,000.00, net, as compensation for unpaid bonuses, together with admitted contractual interest at 10% per annum from 2 July 2016 until payment.**
- 2. Stelmet Zielona Gora BC / Grono Sportowa Spółka Akcyjna is ordered to pay Mr. Szymon Szewczyk PLN 468.00 for translation of documents.**
- 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 5,000.00 shall be borne 50% by Mr. Szymon Szewczyk and 50% by Stelmet Zielona Gora BC / Grono Sportowa Spółka Akcyjna. Accordingly, Stelmet Zielona Gora BC / Grono Sportowa Spółka Akcyjna is ordered to pay Mr. Szymon Szewczyk EUR 2,500.00.**
- 4. Stelmet Zielona Gora BC / Grono Sportowa Spółka Akcyjna is ordered to pay Mr. Szymon Szewczyk EUR 2,500.00 as reimbursement for 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, 4 May 2017

Notice about Request for Reasons

in accordance with Article 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 18 October 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.