

ARBITRAL AWARD

(BAT 1473/19)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Ms. Annett Rombach

in the arbitration proceedings between

Ms. Aishah Gameela Sutherland

- Claimant 1 -

Mr. Lorenzo Gallotti

- Claimant 2 -

both represented by Mr. Sergiu Gherdan, attorney at law,
Str. Vasile Stroescu nr. 8, 41054 Oradea City, Bihor county, Romania

vs.

Araski AES

Bulevar de Mariturri, nr. 42, ap. 5B, 01015 Vitoria-Gasteiz, Araba, Spain

- Respondent -

represented by Ms. Irache Rodriguez Martinez, President

AWARD

Upon providing all parties with an opportunity to be heard, having examined her 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. Araski AES shall pay Ms. Aishah Gameela Sutherland interest of 5% p.a. on the amount of EUR 4,723.00 from 20 December 2019 until 17 January 2020.**
- 2. Araski AES shall pay Mr. Lorenzo Gallotti interest of 5% p.a. on the amount of EUR 3,383.35 from 20 December 2019 until 17 January 2020.**
- 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 3,500.00, shall be borne by Araski AES alone. Accordingly, Araski AES shall pay jointly to Ms. Aishah Gameela Sutherland and Mr. Lorenzo Gallotti the amount of EUR 3,500.00.**
- 4. Araski AES shall pay Ms. Aishah Gameela Sutherland EUR 1,750.00 as a contribution to her legal fees and expenses.**
- 5. Araski AES shall pay shall pay Mr. Lorenzo Gallotti EUR 3,250.00 as a contribution to his 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, 17 July 2020

Annett Rombach
(Arbitrator)

Notice about Request for Reasons

in accordance with Articles 16.2 and 16.3 of the BAT Rules (version of 1 December 2019):

“16.2 By agreeing to submit their dispute to arbitration under these Rules, the parties agree that, subject to Article 16.3, the Arbitrator shall issue an award without reasons if the sum in dispute does not exceed EUR 50,000.

16.3 In cases falling under Article 16.2, the Arbitrator shall issue an award with reasons (which shall substitute in full for any previously-issued award without reasons) only if

- a) a party (i) 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 (ii) pays, within the deadline set by the BAT Secretariat, an amount of EUR 3,000 into the bank account indicated in Article 17.1, failing which the request shall be deemed withdrawn; or*
- b) the BAT President determines in his sole discretion, before the award is issued, that it shall be rendered with reasons, taking into account the issues raised by the case as well as the public interest in a sufficient body of publicized awards with reasons.”*

Please note that the time limit for payment of the amount of EUR 3,000.00, in accordance with Article 16.3(a) of the BAT Rules, will be set by the BAT Secretariat upon receipt of the request for reasons, if any.