

CORRECTED ARBITRAL AWARD

(BAT 1170/18)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Rhodri Thomas

in the arbitration proceedings between

Mr. Nikola Birac

- Claimant -

represented by Mr. Vojin Babovic, attorney at law,
Resavska 34, 11000 Belgrade, Serbia
and
Mr. Filip Blagojevic, attorney at law,
Vlajkovicewa 12, 11000 Belgrade, Serbia

vs.

Yesilgiresun Belediyespor Kulübü Dernegi
Haci Miktat Mahallesi Alpaslan Caddesi no. I, 28000 Giresun, Turkey

- Respondent -

AWARD

Upon providing both 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. Yesilgiresun Belediyespor Kulübü Dernegi shall pay EUR 10,800.00 to Mr. Nicola Birac as compensation for unpaid salary plus interest at a rate of 5% as follows:**
 - a. on EUR 2,000.00 from 21 January 2018 until payment;**
 - b. on EUR 2,000.00 from 21 February 2018 until payment; and**
 - c. on EUR 6,800.00 from 1 March 2018 until payment.**
- 2. Yesilgiresun Belediyespor Kulübü Dernegi shall pay EUR 232.47 to Mr. Nicola Birac as reimbursement for travel expenses.**
- 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 4,000.00 shall be borne 95% by Yesilgiresun Belediyespor Kulübü Dernegi and 5% by Mr. Nicola Birac. Accordingly, Yesilgiresun Belediyespor Kulübü Dernegi shall pay EUR 3,800.00 to Mr. Nicola Birac.**
- 4. Yesilgiresun Belediyespor Kulübü Dernegi shall pay EUR 3,500.00 to Mr. Nicola Birac 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, 8 October 2018

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 5,000.00**. The time limit for payment thereof will be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.