

ARBITRAL AWARD

(BAT 1534/20)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Stephan Netzle

in the arbitration proceedings between

Ms. Monika Grigalauskyte

- Claimant -

represented by Mr. Jonathan A. Jordan, attorney at law,
267 Kentlands Blvd. Suite 105, Gaithersburg, MD 20878, USA

vs.

Izmit Belediyespor Genlik Kulübü Derneği

Abdurrahman Yuksel Cad Belsa Plaza No. 9 A Blok Kat 4,
41300 Izmit Kocaeli, Turkey

- Respondent -

represented by Mr. Mertay Kugay, attorney at law,
Beyaz Karanfil Sok. No: 39, Levent, Besiktas, Istanbul, Turkey

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. Izmit Belediyespor Genlik Kulübü Dernegi shall pay Ms. Monika Grigalaukyte salaries and a bonus in the total amount of EUR 25,910.37 net of Turkish taxes, plus interest of 5% p.a.**
 - a. on EUR 7,660.37 from 6 February 2020 until payment,**
 - b. on EUR 8,125.00 from 6 March 2020 until payment, and**
 - c. on EUR 10,125.00 from 20 March 2020 until payment.**
- 2. Izmit Belediyespor Genlik Kulübü Dernegi shall pay Ms. Monika Grigalaukyte a reimbursement of two flight tickets in the total amount of EUR 860.18.**
- 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, 85% shall be borne by Izmit Belediyespor Genlik Kulübü Dernegi and 15% shall be borne by Ms. Monika Grigalaukyte. Accordingly, Izmit Belediyespor Genlik Kulübü Dernegi shall pay EUR 4,250.00 to Ms Monika Grigalaukyte.**
- 4. Izmit Belediyespor Genlik Kulübü Dernegi shall pay Ms. Monika Grigalaukyte EUR 4,500.00 as a contribution to her 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.**



BASKETBALL
ARBITRAL TRIBUNAL

Geneva, seat of the arbitration, 21 September 2020

Stephan Netze
(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.