

ARBITRAL AWARD

(BAT 1433/19)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Ms. Amani Khalifa

in the arbitration proceedings between

Mr. Kendall Smith

- Claimant 1 -

Mr. William D. Neff

- Claimant 2 -

both represented by Mr. William D. Neff,
8 North Bridge Terrace, Mount Kisco, NY, 10549, USA

vs.

Crelan Okapi Aalstar / Vzw Basket Aalst in vereffening (non-profit association Basket Aalst in liquidation)
Albrechtlaan 115, 9300 Aalst, Belgium

- Respondent -

represented by Ms. Sofie De Nijs, attorney at law,
Brandstraat 117, 8755 Ruiselede, Belgium

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. Crelan Okapi Aalstar shall pay Mr. Kendall Smith EUR 1,750.00 in unjustified deductions.**
- 2. Crelan Okapi Aalstar shall pay Mr. William D. Neff USD 2,700.00 in unpaid agency fees, plus USD 136.95 in 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, shall be borne 60% by Crelan Okapi Aalstar and 40% jointly by Mr. Kendall Smith and Mr. William D. Neff. Accordingly, Crelan Okapi Aalstar shall pay EUR 2,400 jointly to Mr. Kendall Smith and to Mr. William D. Neff.**
- 4. Crelan Okapi Aalstar shall pay EUR 1,500.00 jointly to Mr. Kendall Smith and to Mr. William D. Neff as a contribution to their 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, 3 July 2020

Amani Khalifa
(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.