

ARBITRAL AWARD

(BAT 1310/18)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Klaus Reichert SC

in the arbitration proceedings between

Mr. Maarten Arthur Leunen

- Claimant -

represented by Mr. Giovanni Allegro, attorney at law,
Via S.C. Alessandrina n. 9, 84125 Salerno, Italy

vs.

S.S. Scandone Avellino spa
C. da Vasto, 15 Avellino, Italy

- Respondent -

represented by Mr. Edoardo Lombardi, attorney at law,
Via Borgogna, 8, 20122 Milan, Italy

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. S.S. Scandone Avellino spa is ordered to pay Mr. Maarten Arthur Leunen, as sole and exclusive assignee of Global Solutions North West Limited, EUR 34,774.50, by way of unpaid image right payments together with interest at 5% per annum on the amount of EUR 17,441.25 from 1 July 2019 and on the amount of EUR 17,333.25 from 1 August 2019 until payment in full.**
- 2. 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 4,200.00, shall be borne by S.S. Scandone Avellino spa alone. Accordingly, S.S. Scandone Avellino spa shall pay EUR 4.200.00 to Mr. Maarten Arthur Leunen. The balance of the Advance on Costs, in the amount of EUR 1,800.00 will be reimbursed to Mr. Maarten Arthur Leunen by the BAT.**
- 3. S.S. Scandone Avellino spa is ordered to pay Mr. Maarten Arthur Leunen EUR 5,000.00 as a contribution to his legal fees and expenses.**
- 4. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party**
- 5. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 24 September 2019

Klaus Reichert
(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.