

**ARBITRAL AWARD**

**(BAT 0723/15)**

by the

**BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Mr. Klaus Reichert SC**

in the arbitration proceedings between

**Mr. Mickael Pietrus**

c/o Three Eye Sports, 244 Peters Street, #9, Atlanta, GA 30313, USA

**- Claimant 1 -**

**Mr. William W. McCandless**

Three Eye Sports, 244 Peters Street, #9, Atlanta, GA 30313, USA

**- Claimant 2 -**

both represented by Mr. William McCandless, attorney at law

vs.

**Mets De Guaynabo**

c/o Mr. Alberto Muniz, Mario Morales Coliseum, Calle 6,  
00725 Guaynabo, Puerto Rico

**- Respondent -**

## **AWARD**

Upon providing all parties with an opportunity to be heard, having ascertained 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. Mets De Guaynabo is ordered to pay Mr. Mickael Pietrus USD 42,000.00, net, as unpaid salary.**
- 2. Mets De Guaynabo is ordered to pay Mr. William McCandless USD 6,300.00 as unpaid agency fees.**
- 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 5,630.00, shall be borne by Mets De Guaynabo alone. Accordingly, Mets De Guaynabo is ordered to pay jointly to Mr. Mickael Pietrus and Mr. William McCandless EUR 5,630. The balance of the Advance on Costs, in the amount of EUR 1,370.00, will be reimbursed jointly to Mr. Mickael Pietrus and Mr. William McCandless by the BAT.**
- 4. Mets De Guaynabo is ordered to pay jointly to Mr. Mickael and Mr. William McCandless the amounts of EUR 2,000.00 and USD 1,709.50 as compensation for 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, 9 September 2016

Klaus Reichert  
(Arbitrator)

### **Notice about Request for Reasons**

in accordance with Article 16.2.1 and 16.2.2 of the BAT Rules:

*“16.2.1 By agreeing to submit their dispute to arbitration under these Rules, the Parties agree that,*

- a) where the value of the dispute does not exceed EUR 30,000, the Arbitrator will issue an award without reasons.*
- b) where the value of the dispute is between EUR 30,001 and EUR 200,000, and a Respondent fails to pay its share of an advance on costs, upon request by a Claimant the Arbitrator may decide to issue an award without reasons and reduce the advance on costs in accordance with Article 9.3.1 above.*

*16.2.2 If Article 16.2.1(a) applies or if the Arbitrator decides to issue an award without reasons in accordance with Article 16.2.1(b), the Arbitrator shall deliver reasons only 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.”*

On 31 March 2016 the BAT Secretariat informed the Parties that the amount of the advance on costs to be paid for a reasoned award in this case is EUR 4,000.00. The time limit for payment thereof shall be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.