

ARBITRAL AWARD

(BAT 1701/21)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Ms. Annett Rombach

in the arbitration proceedings between

Mr. Tanner Leissner

- Claimant 1 -

RZA Sports Agency,
2 Willets Road, Harrison, NY 10528, USA

- Claimant 2 -

both represented by Mr. Sébastien Ledure & Mr. Wouter Janssens

vs.

Afyon Belediyesi Gençlik ve Spor Kulübü Derneği,
Mustafa Abi Kapalı Spor Salonu, Dört Yol Mah. 2150 okak no. 6 İzmir 8. KM. Merkez, 03100
Afyonkarahisar, Turkey

- Respondent -

represented by Mr. Mertay Kugay, attorney at law

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. Afyon Belediyesi Genclik ve Spor Kulübü Dernegi shall pay Mr. Tanner Leissner an amount of USD 45,250.00 net of taxes, for outstanding salaries and bonus, plus 5% interest per annum on any outstanding balance (as may be the case from time to time) thereof until payment in full**
 - from 1 March 2021 on the amount of USD 250.00 net;
 - from 31 March 2021 on the amount of USD 10,000.00 net;
 - from 1 May 2021 on the amount of USD 10,000.00 net;
 - from 12 May 2021 on the amount of USD 5,000.00 net;
 - from 31 May 2021 on the amount of USD 10,000.00 net;
 - from 5 June 2021 on the amount of USD 10,000.00 net.
- 2. Afyon Belediyesi Genclik ve Spor Kulübü Dernegi shall pay RZA Sports Agency an amount of USD 8,500.00 net of taxes, for outstanding agency fees, plus 5% interest per annum on any outstanding balance (as may be the case from time to time) thereof until payment in full**
 - from 17 April 2021 on the amount of USD 3,500.00 net;
 - from 18 June 2021 on the amount of USD 5,000.00 net.
- 3. Afyon Belediyesi Genclik ve Spor Kulübü Dernegi shall provide Mr. Tanner Leissner with a tax certificate which documents that the correct amount of Turkish taxes that have been paid to the Turkish Tax Authority in the name of Mr. Tanner Leissner.**
- 4. The costs of this arbitration until the present Award, which were determined by the Vice-President of the BAT to be in the amount of EUR 5,300.00 shall be borne by Afyon Belediyesi Genclik ve Spor Kulübü Dernegi alone. Accordingly, Afyon Belediyesi Genclik ve Spor Kulübü Dernegi shall pay jointly to Mr. Tanner Leissner and RZA Sports Agency EUR 5,300.00. The balance of the advance on**

costs in the amount of EUR 700.00 will be reimbursed jointly to Mr. Tanner Leissner and RZA Sports Agency by the BAT.

- 5. Afyon Belediyesi Genclik ve Spor Kulübü Dernegi is shall pay jointly to Mr. Tanner Leissner and RZA Sports Agency EUR 6,500.00 as a contribution towards their legal fees and expenses (including the non-reimbursable handling fee).**
- 6. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 7. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 8 March 2022

Annett Rombach
(Arbitrator)

Notice about Request for Reasons

In accordance with Article 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.