

ARBITRAL AWARD

(BAT 1593/20)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Clifford J. Hendel

in the arbitration proceedings between

Ms. Angelika Stankiewicz

Mr. Tomasz Matyskiewicz

both represented by Mr. Hubert Radke, attorney at law

vs.

Gerje Basketball Ltd. (C.E.K.K. Cegled)
Madar utca 11, 2700 Cegled, Hungary

represented by Ms. Ewa Mydlarska, attorney at law

- Claimant 1 -

- Claimant 2 -

- Respondent -

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. Gerje Basketball Ltd. (C.E.K.K. Cegled) shall pay to Ms. Angelika Stankiewicz EUR 16,400.00 net, as outstanding payments pre-termination of the Agreement and compensation for the unilateral termination of the same, plus interest on such amount at 5% per annum, until payment. The interest shall start to accrue as from the following dates:**
 - 11 November 2019 with regard to EUR 3,700.00 net;
 - 11 December 2019 with regard to EUR 3,700.00 net;
 - 11 January 2020 with regard to EUR 4,200.00 net;
 - 11 February 2020 with regard to EUR 4,200.00 net; and
 - 11 March 2020 with regard to EUR 600.00 net.

- 2. Gerje Basketball Ltd. (C.E.K.K. Cegled) shall pay to Mr. Tomasz Matyskiewicz EUR 2,500.00 net, as outstanding agent's fee, plus interest on such amount at 5% per annum, from 26 August 2020, until payment.**

- 3. Gerje Basketball Ltd. (C.E.K.K. Cegled) shall pay to Mr. Tomasz Matyskiewicz EUR 2,216.60 net, as a penalty fee.**

- 5. 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 6,000.00 shall be borne by Gerje Basketball Ltd. (C.E.K.K. Cegled) alone. Accordingly, Gerje Basketball Ltd. (C.E.K.K. Cegled) shall pay an amount of EUR 6,000.00 jointly to Ms. Angelika Stankiewicz and Mr. Tomasz Matyskiewicz.**

- 6. Gerje Basketball Ltd. (C.E.K.K. Cegled) shall pay Ms. Angelika Stankiewicz and Mr. Tomasz Matyskiewicz jointly EUR 6,500.00 as a contribution to their legal fees and expenses.**

- 7. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**

Geneva, seat of the arbitration, 3 February 2021

Clifford J. Hendel
(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.