

## **ARBITRAL AWARD**

**(BAT 1514/20)**

by the

### **BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Mr. Klaus Reichert SC**

in the arbitration proceedings between

**Mr. Lluís Tunez Garcia**

Regenera Marketing SL / Regeneracom Sports SLU  
C/Union 101, no. 2, 3a  
08302 Mataro, Spain

**- Claimant -**

represented by Mr. Sergiu Valentin Gherdan, attorney at law  
Vasile Stroescu nr. 8  
Oradea, Bihor, Romania

vs.

**Ms. Markeisha Cherte Gatling**

**- Respondent -**

represented by Filipe Orsolini Pinto de Souza, attorney at law,  
Avenida José de Souza Campos, 1.073, Salas 1405 / 1407 / 1409,  
Bairro Cambuí, Campinas, São Paulo, Brasil, CEP 13025-320

## **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. Ms. Markeisha Cherte Gatling is ordered to pay Mr. Lluís Túnex García EUR 6,300.00 by way of unpaid agency fees.**
- 2. 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 3,000.00, shall be borne by Ms. Markeisha Cherte Gatling alone. Accordingly, Ms. Markeisha Cherte Gatling shall pay EUR 3,000.00 to Mr. Lluís Túnex García. The balance of the Advance on Costs, in the amount of EUR 1,000.00, will be reimbursed to Mr. Lluís Túnex García by the BAT.**
- 3. Ms. Markeisha Cherte Gatling is ordered to pay Mr. Lluís Túnex García EUR 4,000.00 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, 9 July 2020

Klaus Reichert  
(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, 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.