

CAS 2012/A/3019 **Sports Club Tavriya v. Semen Altman & Football Federation of Ukraine**

**TERMINATION ORDER**

pronounced by

**The Deputy President of the Appeals Arbitration Division of**

**THE COURT OF ARBITRATION FOR SPORT**

in the arbitration between

**Sport Club Tavriya**, Simferopol, Ukraine

Represented by Mr Yuriy Vasyukov, General Manager, Simferopol, Ukraine

-Appellant-

and

**Semen Altman**, Odessa, Ukraine

Represented by Mr Hataullin Irek Farhatovych, attorney-at-law in Kyiv, Ukraine and Mr Nikolai V. Grammatikov, attorney-at-law in Moscow, Russia

and

**Football Federation of Ukraine (FFU)**, Kyiv, Ukraine

Represented by Mr S. Storozhenko, First Vice-President of the FFU, Kyiv, Ukraine

-Respondents-

**WHEREAS** a statement of appeal dated 5 December 2012 was filed at the Court of Arbitration for Sport (hereinafter the "CAS") by Sport club Tavriya LLC (hereinafter the "Appellant") against Mr Semen Altman (hereinafter the "First Respondent") and the Football Federation of Ukraine (hereinafter the "Second Respondent" or the "FFU") with respect to the decision #01/09/2012 rendered on 16 November 2012 by the Disputes Resolution Chamber of Football Federation of Ukraine.

**WHEREAS** the Appellant paid the CAS Court Office fee of CHF 1,000;

**WHEREAS** the CAS Court Office initiated an appeal arbitration procedure under the reference *CAS 2012/A/3019 Sports Club Tavriya v. Semen Altman & Football Federation of Ukraine*;

**WHEREAS** the Appellant filed its appeal brief dated 14 December 2013 but was received at the CAS Court Office on 17 December 2012;

**WHEREAS** on 16 January 2013 the CAS Court Office invited the parties to pay the advance of costs on or before 31 January 2013;

**WHEREAS** on 30 January, 14 February and 25 February 2013, the Appellant requested and obtained three extensions of time to pay its share of the advance of costs;

**WHEREAS** on 26 February 2013 the CAS Court Office granted the Appellant a final and ultimate extension of time to pay the entire advance of costs by 1 March 2013;

**WHEREAS** on 1<sup>st</sup> March 2013, the Appellant informed the CAS Court Office that the parties entered into negotiations in order to settle the case and requested a new time limit to pay the advances of costs;

**WHEREAS** by letter of 1<sup>st</sup> March 2013 the CAS Secretary General requested the Respondents to inform the CAS Court Office by return fax whether they confirm that the parties are currently engaged in negotiations to settle this matter amicably;

**WHEREAS** by letter dated 4 March 2013 the Respondents informed the CAS Court Office that they were not engaged in any negotiation process with the Appellant in order to settle the case amicably;

**WHEREAS** by letter dated 5 March 2013 the CAS Court Office noted that the parties were not engaged in any negotiation in order to reach a friendly agreement and informed them that a Termination Order would be issued by the President (or his Deputy) of the CAS Appeals Arbitration Division;

**WHEREAS** the Appellant did not send any proof of payment and thus failed to pay the advance of costs within the appropriate time limit;

**WHEREAS** Article R64.2 para. 2 of the Code of Sports-related Arbitration (“the Code”) which provides that “[...] *in case of non-payment within the time limit fixed by the CAS, the appeal shall be deemed withdrawn and the CAS shall terminate the arbitration; [...]*”;

**WHEREAS** the Appellant failed to provide the CAS Court Office with a proof of payment of the advance of costs within the prescribed time limit and, in accordance with Article R64.2 of the Code, the appeal shall be deemed withdrawn and the procedure *CAS 2012/A/3019 Sports Club Tavriya v. Semen Altman & Football Federation of Ukraine* shall be terminated and removed from the CAS roll;

**WHEREAS** this Order is rendered without costs, except for the Court Office fee of CHF 1,000 (one thousand Swiss francs), which was paid by Sport Club Tavriya and is retained by the CAS.

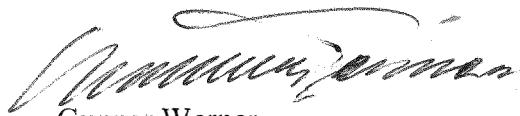
**ON THESE GROUNDS**

The Deputy President of the Appeals Arbitration Division of the Court of Arbitration for Sport orders that:

1. The procedure *CAS 2012/A/3019 Sports Club Tavriya v. Semen Altman & Football Federation of Ukraine* is terminated and removed from the CAS roll.
2. The present order is rendered without costs, except for the Court Office fee of CHF 1,000 paid by Sport Club Tavriya, and which is retained by the Court of Arbitration for Sport.

Lausanne, 3 May 2013

**THE COURT OF ARBITRATION FOR SPORT**



Gunnar Werner  
Deputy President of the Appeals Arbitration Division