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FIBA Arbitral Tribunal (FAT)

ARBITRAL AWARD

(0102/10 FAT)

rendered by

FIBA ARBITRAL TRIBUNAL (FAT)

Mr. Stephan Netzle

in the arbitration proceedings between

Mr. Corey A. Belser

_____, USA

- Claimant -

vs.

BC Politekhnikha Halychyna

8 Kerchenska Str., 79035, Lviv, Ukraine

- Respondent -

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AWARD

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. BC Politekhnikha Halychyna is ordered to pay to Mr. Corey A. Belser outstanding salaries in the amount of USD 6,333.33 and to reimburse travel costs in the amount of EUR 262.00.**
- 2. The costs of this arbitration until the present Award, which were determined by the President of the FAT to be in the amount of EUR 3,500.00, shall be borne as follows: Mr. Corey A. Belser shall bear 75% (EUR 2,625.00) and BC Politekhnikha Halychyna shall bear 25% (EUR 875.00) of said costs. Accordingly, Mr. Corey A. Belser shall pay to BC Politekhnikha Halychyna EUR 635.00. The balance of the Advance on Costs, in the amount of EUR 490.00, will be reimbursed to BC Politekhnikha Halychyna by the FAT.**
- 3. Each party shall bear its own legal costs 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 requests for relief are dismissed.**

Geneva, seat of the arbitration, 6 December 2010

Stephan Netzle
(Arbitrator)



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Notice about Request for Reasons

in accordance with Article 16.2 of the FAT Rules:

“By agreeing to submit their dispute to arbitration under these Rules, the Parties agree that, where the value of the dispute does not exceed EUR 30,000, the Arbitrator will issue an award without reasons. The Arbitrator shall deliver reasons only in the case where 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 FAT Secretariat.”*

On 22 July 2010 the FAT 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. The time limit for payment thereof shall be set by the FAT Secretariat upon receipt of the Request for Reasons, if any.