



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0251/12)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Ulrich Haas

in the arbitration proceedings between

Ms. Lyubov Alyoshkina

ul. Kozachya 47-147, Zaporozhe, Ukraine

- Claimant -

represented by Mr. Alexey Budaev,
Zagorodnoye sh., 15-2-72, 117152 Moscow, Russia

vs.

Samsun Basketbol Kulübü

Bahçelievler Mah. İstiklal Cad. Öcal Sokak,
Kınık Apt. No:1 Kat:3 İlkadım/Samsun, Turkey

- Respondent -

represented by Mr. Ahmet Ozturk, President,
and Mrs. Filiz Yukruk, General Manager

AWARD

Upon providing both parties with an opportunity to be heard, 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. Samsun Basketbol Kulübü is ordered to pay to Ms. Lyubov Alyoshkina salaries in the amount of EUR 8,000.**
- 2. Samsun Basketbol Kulübü is ordered to pay to Ms. Lyubov Alyoshkina late payment penalties in the amount of EUR 1,100.**
- 3. 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 3,500, shall be borne by Samsun Basketbol Kulübü in the amount of EUR 2,800 and Ms. Lyubov Alyoshkina in the amount of EUR 700. Accordingly, Samsun Basketbol Kulübü shall pay to Ms. Lyubov Alyoshkina EUR 2,800.**
- 4. Samsun Basketbol Kulübü is ordered to pay to Ms. Lyubov Alyoshkina the amount of EUR 1,500 as a contribution towards her legal expenses. Samsun Basketbol Kulübü shall bear its own legal fees and expenses.**
- 5. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 6. All other or further prayers of relief are dismissed.**

Geneva, seat of the arbitration, 25 June 2012

Ulrich Haas
(Arbitrator)

Notice about Request for Reasons

in accordance with Article 16.2 of the BAT 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 BAT Secretariat.”*

On 12 March 2012 the BAT Secretariat informed the Parties that the amount of the advance on costs to be paid for a reasoned award in this case is EUR 5,000. The time limit for payment thereof shall be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.