



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 0274/12)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Ulrich Haas

in the arbitration proceedings between

Mr. Aaron Pettway

- Claimant -

represented by Mr. Richard D. Faulkner and Ms. Shelly L. Skeen,
attornies-at-law, Blume, Faulkner, Skeen & Northam, PLLC
111 W. Spring Valley Rd, Suite 250, Richardson, Texas, USA

vs.

Basketball Club Dnipro

33 ul. Lenina, 49000 Dnipropetrovsk, Ukraine

- Respondent -

represented by Mr. Alexey B. Vasyliov, 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. Basketball Club Dnipro is ordered to pay to Mr. Aaron Pettway outstanding salaries in the amount of USD 32,000 plus interest at the rate of 5% p.a. from 29 April 2011 on the aforementioned amount.**
- 2. 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 3,972, shall be borne by Basketball Club Dnipro alone. Accordingly, Basketball Club Dnipro shall pay to Mr. Aaron Pettway EUR 1,986.**
- 3. Basketball Club Dnipro shall pay to Mr. Aaron Pettway EUR 6,500 as a contribution to his legal fees and expenses. Basketball Club Dnipro shall bear its own 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. All other or further-reaching prayers for relief are dismissed.**

Geneva, seat of the arbitration, 29 October 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 25 April 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.