

ARBITRAL AWARD

(BAT 0629/14)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Mr. Quentin Byrne-Sutton

in the arbitration proceedings between

Mr. Darjus Lavrinovic

Championship Sports Group

Suite F, Block A, Dolphin Court, Embassy Way, Ta'Xbien XBX 1071, Malta

- Claimant 1 -

- Claimant 2 -

both represented by Mr. Marek Palus, attorney at law,
Wojkowski SP. P.; Wolnego 12, 40-857 Katowice, Poland

vs.

Basketball Club "Budivelnyk" Ltd.

Bulgakova 16 (Zlatoustivska str. 10-12), 02134 Kiev, Ukraine

represented by Mr. Vyacheslav Ievstratenko

- Respondent 1 -

Budivelnyk Basketball Properties Inc.

Craigmuir Chambers, P.O. Box 71, Road Town, 4208 Tortola,
British Virgin Islands

represented by Mr. Akexander Vetvitsky

- Respondent 2 -

AWARD

Upon providing the 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 “Budivelnyk” Ltd. and Budivelnyk Basketball Properties Inc. are held jointly and severally liable to pay Mr. Darjus Lavrinovic the following amounts:**
 - **EUR 16,450.00 net, as salary compensation, plus interest on such amount at 5% per annum from 16 May 2014 onwards.**
 - **EUR 50,000.00 net, as salary compensation, plus interest on such amount at 5% per annum from 16 June 2014 onwards.**
 - **EUR 10,000.00 net, as bonus compensation, plus interest on such amount at 5% per annum from 18 November 2014 onwards.**

- 2. Basketball Club “Budivelnyk” Ltd. and Budivelnyk Basketball Properties Inc. are held jointly and severally liable to pay Championship Sports Group, as compensation for agency fees, an amount of EUR 50,000.00 net, plus interest on such amount at 5% per annum from 18 November 2014 onwards.**

- 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 3,485.00 shall be borne jointly by Basketball Club “Budivelnyk” Ltd. and Budivelnyk Basketball Properties Inc.. Accordingly, Basketball Club “Budivelnyk” Ltd. and Budivelnyk Basketball Properties Inc. shall pay jointly to Mr. Darjus Lavrinovic and Championship Sports Group EUR 3,485.00. The balance of the Advance on Costs, in the amount of EUR 3,015.00 will be reimbursed jointly to Mr. Darjus Lavrinovic and Championship Sports Group by the BAT.**

- 4. Basketball Club “Budivelnyk” Ltd. and Budivelnyk Basketball Properties Inc. shall pay jointly to Mr. Darjus Lavrinovic and Championship Sports Group an amount of EUR 4,000.00 as compensation for their legal fees and expenses.**



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- 5. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**
- 6. Any other or further-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 17 March 2015

Quentin Byrne-Sutton
(Arbitrator)

Notice about Request for Reasons

in accordance with Articles 16.2.1 and 16.2.2 of the BAT Rules:

“16.2.1 By agreeing to submit their dispute to arbitration under these Rules, the Parties agree that,

- a) where the value of the dispute does not exceed EUR 30,000, the Arbitrator will issue an award without reasons.*
- b) where the value of the dispute is between EUR 30,001 and EUR 200,000, and a Respondent fails to pay its share of an advance on costs, upon request by a Claimant the Arbitrator may decide to issue an award without reasons and reduce the advance on costs in accordance with Article 9.3.1 above.*

16.2.2 If Article 16.2.1(a) applies or if the Arbitrator decides to issue an award without reasons in accordance with Article 16.2.1(b), the Arbitrator shall deliver reasons only if 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 19 January 2015, 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 6,000.00. The time limit for payment thereof shall be set by the BAT Secretariat upon receipt of the Request for Reasons, if any.