

ARBITRAL AWARD

(BAT 1843/22)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Ms. Amani Khalifa

in the arbitration proceedings between

Mr. Devoe Joseph

- Claimant -

represented by Mr. Fabian Otto, attorney at law,

vs.

Grono Sportowa Spółka Akcyjna
22 Szosa Kisielińska, 65-247 Zielona Góra, Poland

- Respondent -

represented by Mrs. Irena Jasińska

AWARD

Upon providing all parties with an opportunity to be heard, having examined her 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. Grono Sportowa Spółka Akcyjna shall pay Mr. Devoe Joseph USD 28,000.00 in unpaid salaries and EUR 800.13 in payment towards airfare plus interest at a rate of 5% *per annum* on:**
 - i. any outstanding amount (as may be the case from time to time) of USD 7,000.00 from 31 March 2022 until the date of payment in full;**
 - ii. any outstanding amount (as may be the case from time to time) of USD 7,000.00 from 1 May 2022 until the date of payment in full;**
 - iii. any outstanding amount (as may be the case from time to time) of USD 7,000.00 from 31 May 2022 until the date of payment in full;**
 - iv. any outstanding amount (as may be the case from time to time) of USD 7,000.00 from 1 July 2022 until the date of payment in full; and**
 - v. any outstanding amount (as may be the case from time to time) of EUR 800.13 from 23 April 2022 until the date of payment in full.**
- 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 5,225.00, shall be borne 90% by Grono Sportowa Spółka Akcyjna and 10% by Mr. Devoe Joseph. Accordingly, the Respondent shall pay EUR 4,702.50 to Mr. Devoe Joseph.**
- 3. Grono Sportowa Spółka Akcyjna shall pay Mr. Devoe Joseph a total of EUR 5,000.00 as a contribution towards his legal fees and expenses (including the non-reimbursable handling fee).**
- 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, 16 May 2023

Amani Khalifa
(Arbitrator)

Notice about Request for Reasons

in accordance with Articles 16.2 and 16.3 of the BAT Rules:

“16.2 By agreeing to submit their dispute to arbitration under these Rules, the parties agree that, subject to Article 16.3, the Arbitrator shall issue an award without reasons if the sum in dispute does not exceed EUR 50,000.

16.3 In cases falling under Article 16.2, the Arbitrator shall issue an award with reasons (which shall substitute in full for any previously-issued award without reasons) only if

- a) a party (i) 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 (ii) pays, within the deadline set by the BAT Secretariat, an amount of EUR 3,000 into the bank account indicated in Article 17.1, failing which the request shall be deemed withdrawn; or*
- b) the BAT President determines in his sole discretion, before the award is issued, that it shall be rendered with reasons, taking into account the issues raised by the case as well as the public interest in a sufficient body of publicized awards with reasons.”*

Please note that the time limit for payment of the amount of EUR 3,000, in accordance with Article 16.3(a) of the BAT Rules, will be set by the BAT Secretariat upon receipt of the request for reasons, if any.