

## **ARBITRAL AWARD**

**(BAT 1948/23)**

by the

### **BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Mr. Clifford J. Hendel**

in the arbitration proceedings between

**Mr. Hüseyin Ulas Sag**

**- Claimant -**

represented by Mr. Ergun Benan Arseven and  
Mr. Metin Abut, attorneys at law,

vs.

**Galatasaray Spor Kulubu Dernegi**

Ali Sami Yen Kompleksi  
NEF Stadyumu, Huzur Mah,  
34415 Seyrantepe Sarıyer Istanbul, Turkey

**- Respondent -**

represented by Mr. Süleyman Anıl Özgüç,  
Mr. Tuncer Özgür Kılıç and Mrs. Aslı Özer Arslan,  
attorneys at law

## **AWARD**

Upon providing all parties with an opportunity to be heard, having examined 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. Galatasaray Spor Kulubu Dernegi is ordered to pay Mr. Hüseyin Ulas Sag USD 35,000, net of taxes, as compensation for his unpaid agent fee, together with interest at a rate of 5% *per annum* on any outstanding balance (as may be the case from time to time) thereof from 14 January 2023 until payment in full.**
- 2. Galatasaray Spor Kulubu Dernegi shall bear 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 3,650. Accordingly, Galatasaray Spor Kulubu Dernegi shall pay EUR 3,650 to Mr. Hüseyin Ulas Sag. The balance of the advance on costs in the amount of EUR 1,850 will be reimbursed to Mr. Hüseyin Ulas Sag by the BAT.**
- 3. Galatasaray Spor Kulubu Dernegi shall pay USD 3,000 and EUR 2,000 to Mr. Hüseyin Ulas Sag as a contribution to 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-reaching requests for relief are dismissed.**

Geneva, seat of the arbitration, 15 June 2023

Clifford J. Hendel  
(Arbitrator)

### **Notice about Request for Reasons**

in accordance with Articles 16.2 and 16.3 of the BAT Rules (version of 1 January 2022):

*“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 3,000.00, 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.