



BASKETBALL
ARBITRAL TRIBUNAL

ARBITRAL AWARD

(BAT 1959/23)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Ms. Annett Rombach

in the arbitration proceedings between

Mr. Valerii Plekhanov,

- Claimant -

represented by Mr. Vassil Dimitrov,

vs.

Basketball Club Budivelnyk LLC,
Str. Kruglouniversytetska 7, office 28, 01024 Kiev, Ukraine

- Respondent -

represented by Mr. Vyacheslav Yevstratento, Director of Basketball Club Budivelnyk LLC

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. Basketball Club Budivelnyk LLC is ordered to pay Mr. Valerii Plekhanov an amount of USD 13,800.00 net of all taxes and charges of whatever nature under Ukrainian law in salary compensation together with interest of 5% per annum on any outstanding balance (as may be the case from time to time) thereof from 18 February 2023 until complete payment.**
- 2. The costs of this arbitration until the present Award, which were determined by the Vice-President of the BAT to be in the amount of EUR 4,700.00, shall be borne by Basketball Club Budivelnyk LLC in the amount of EUR 3,760.00 and by Mr. Valerii Plekhanov in the amount of EUR 940.00. Accordingly, Basketball Club Budivelnyk LLC shall pay to Mr. Valerii Plekhanov EUR 3,760.00. The balance of the Advance on Costs, in the amount of EUR 300.00, will be reimbursed to Mr. Valerii Plekhanov by the BAT.**
- 3. Basketball Club Budivelnyk LLC is ordered to pay to Mr. Valerii Plekhanov EUR 2,000.00 as a contribution towards his legal fees and expenses (including the non-reimbursable handling fee).**
- 4. Any other or further-reaching requests for relief are dismissed.**
- 5. Any arbitration costs associated with a Request for Reasons (see attached Notice) shall be advanced and borne by the requesting party.**

Geneva, seat of the arbitration, 7 September 2023

Ms. Annett Rombach
(Arbitrator)

Notice about Request for Reasons

In accordance with Article 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.