

ARBITRAL AWARD

(BAT 2070/23)

by the

BASKETBALL ARBITRAL TRIBUNAL (BAT)

Ms. Amani Khalifa

in the arbitration proceedings between

Ms. Kamilė Nacickaite

- Claimant -

represented by Mr. Sergiu Valentin Gherdan, attorney at law,

vs.

Galatasaray Spor Kulübü Derneği

Hasun Galip sok. 7-11, Beyoğlu, Istanbul, Turkey

- Respondent -

represented by Tuncer Özgür Kılıç, attorney at law,

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. Galatasaray Spor Kulübü Derneği shall pay Ms. Kamilé Nacickaite as a total amount of EUR 10,000.00, net of taxes, as compensation for unpaid bonus payments, plus interest at 5% per annum on any outstanding balance (as may be the case from time to time) thereof until payment in full.**
- 2. Galatasaray Spor Kulübü Derneği shall provide Ms. Kamilé Nacickaite with a tax certificate in respect of all taxes paid by Galatasaray Spor Kulübü Derneği in respect of all payments to Ms. Kamilé Nacickaite.**
- 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 4,000.00, shall be borne by Galatasaray Spor Kulübü Derneği alone. Accordingly, Galatasaray Spor Kulübü Derneği shall pay EUR 4,000.00 to Ms. Kamilé Nacickaite.**
- 4. Galatasaray Spor Kulübü Derneği shall pay Ms. Kamilé Nacickaite an amount of EUR 3,500.00 as reimbursement for her legal fees and expenses.**
- 5. Any other or further requests for relief are dismissed.**
- 6. 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, 18 March 2024

Amani Khalifa
(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.