

**ARBITRAL AWARD**

**(BAT 1883/22)**

by the

**BASKETBALL ARBITRAL TRIBUNAL (BAT)**

**Mr. Stephan Netzle**

in the arbitration proceedings between

**Mr. Sergiu Valentin Gherdan**

represented by Mr. Alexandru Corpodean, attorney at law,

vs.

**Omilos Antisfairisis Chanion**

**- Claimant -**

**- Respondent -**

## **AWARD**

Upon providing both 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. Omilos Antisfairisis Chanion shall pay Mr. Sergiu Valentin Gherdan an additional agent fee in the amount of EUR 141.66, plus interest of 5% per annum on any outstanding balance (as may be the case from time to time) thereof from 24 October 2022 until payment in full.**
- 2. Omilos Antisfairisis Chanion shall pay Mr. Sergiu Valentin Gherdan a late penalty fee in the amount of EUR 141.66.**
- 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 2,075.00 shall be borne by Omilos Antisfairisis Chanion alone. Accordingly, Omilos Antisfairisis Chanion shall pay EUR 75.04 to Mr. Sergiu Valentin Gherdan. The balance of the Advance on Costs, in the amount of EUR 1,924.96, will be reimbursed to Mr. Sergiu Valentin Gherdan by the BAT.**
- 4. The parties shall bear their own legal costs. Omilos Antisfairisis Chanion shall pay Mr. Sergiu Valentin Gherdan the non-reimbursable handling fee of EUR 1,000.00.**
- 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, 14 March 2023

Stephan Netzle  
(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.