



Tribunal Arbitral du Sport  
Court of Arbitration for Sport

URGENT

By facsimile and email

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Lausanne, 18 July 2013/WS/cm

Re: CAS 2013/A/3256 Fenerbahçe Spor Kulübü v. UEFA

Dear Sirs,

I acknowledge receipt of the Appellant's letter of today, a copy of which is enclosed for the other parties' attention.

Tribunal Arbitral du Sport  
Court of Arbitration for Sport

Page 2

I note that the Appellant withdraws its appeal against Besiktas Jimnastik Kulübü and Bursaspor Kulübü Dernegi. Therefore, the arbitration shall proceed under the reference CAS 2013/A/3256 Fenerbahçe Spor Kulübü v. UEFA with UEFA as sole Respondent.

In view of the above, I confirm the nomination by the Respondent of Mr Efraim Barak, attorney-at-law in Tel Aviv, Israel, as an arbitrator.

Furthermore, I note that the parties agree to the following expedited procedural calendar which shall be implemented:

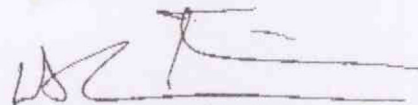
- Appeal brief to be filed on **26 July 2013**;
- Answer to be filed on **9 August 2013**;
- Hearing to take place between **21 and 23 August 2013**;
- Operative part of the award to be rendered by **28 August 2013**.

In view of the parties' agreement on the above-mentioned expedited procedural calendar, on behalf of the Deputy President of the CAS Appeals Arbitration Division, I confirm that the decision of the UEFA Appeals Body dated 10 July 2013 is stayed.

Finally, I acknowledge receipt of Bursaspor Kulübü Dernegi's answer to the Appellant's request for a stay, filed today. In view of the above considerations and UEFA's arguments in its letter of 17 July 2013, such submission, which was in any event inadmissible as filed outside the deadline prescribed in my letter of 17 July 2013, is considered to be moot.

Please be advised that I remain at the parties' disposal for any further information.

Yours faithfully,



William STERNHEIMER  
Managing Counsel & Head of Arbitration

Enc.

Cc. Deputy President of the CAS Appeals Arbitration Division





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18 July 2013

Dear Mr Sternheimer,

In reply to your urgent correspondence of 17 July 2013 (6.31pm), the Appellant informs the CAS as follows:

- a) The Appellant agrees to the exclusion of Besiktas JK and Bursaspor SK from this case and in fact withdraws without prejudice its appeal against such parties;
- b) The Appellant agrees to the 3<sup>rd</sup> option for an expedited calendar proposed by UEFA, with 28 August 2013 being the date for the issuance of the final award since a possible second-leg match of the Appellant in the play-off round will be scheduled on 27 August, as agreed in a telephone conversation with our colleague Mr Emilio Garcia Silvero a few minutes ago.

The Appellant acknowledges the fact that the CAS enjoys a certain discretion under Art. 52 of the CAS Code and that it will issue the appropriate directions in the event that the present circumstances change and an expedited procedure is no longer required (e.g. if the Appellant's team does not qualify to the play-off phase or to the group-phase or in case the CAS finds on a preliminary basis that the sanction imposed anyway does not apply to this season).

Yours sincerely,

Andreas Zagklis

Christian Keidel

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