



TAS / CAS

TRIBUNAL ARBITRAL DU SPORT
COURT OF ARBITRATION FOR SPORT
TRIBUNAL ARBITRAL DEL DEPORTE

MEDIA RELEASE

THE COURT OF ARBITRATION FOR SPORT (CAS) REGISTERS NEW APPEALS:

(1) MARIO VUŠKOVIĆ – GERMAN FOOTBALL ASSOCIATION - NADA GERMANY

(2) NK OLIMPIJA LJUBLJANA - JAKA ČUBER POTOČNIK – FC KÖLN

Lausanne, 24 April 2023 – The Court of Arbitration for Sport (CAS) has registered the following new appeals:

Mario Vušković – German Football Association – NADA Germany

The CAS Court Office has registered two appeals against the decision issued on 30 March 2023 by the Sports Tribunal of the German Football Association (“DFB”) in which the Croatian football player Mario Vušković was found to have committed an anti-doping rule violation (ADRV) (presence of EPO) and sanctioned with a two-year period of ineligibility.

The appeals were filed (1) by Mario Vušković against the DFB and the National Anti-Doping Agency of Germany (NADA Germany) and (2) by NADA Germany against Mario Vušković and the DFB.

Mario Vušković seeks the annulment of the Challenged Decision and a finding that he did not violate any applicable anti-doping rules.

NADA Germany seeks confirmation of the finding in the Challenged Decision that Mario Vušković committed an ADRV and seeks an increased sanction of a four-year period of ineligibility.

The CAS arbitrations are at an early stage but it is anticipated that they will be handled together. It is not possible to indicate at this time when the hearing will be held or when the final decision will be issued.

NK Olimpija Ljubljana - Jaka Čuber Potočnik - 1. FC Köln GmbH & Co. KGaA and 1. Fußball-Club Köln 01/07 e.V. (together, FC Köln)

The CAS Court Office has registered three appeals against the decision issued on 1 February 2023 by the Dispute Resolution Chamber of the FIFA Football Tribunal (the Challenged Decision) in which the football player Jaka Čuber Potočnik (the Player) was found to have committed a severe breach of contract (unilateral termination of contract without just cause) against his former club NK Olimpija Ljubljana and sanctioned with a four-month period of ineligibility and a compensation payment of EUR 51,750 to said club (for which the Player’s new club FC Köln, is also jointly and severally liable). In addition, FC Köln,



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was banned from registering any new players, either nationally or internationally, for the two next entire and consecutive registration periods.

The appeals were filed (1) by NK Olimpija Ljubljana against Jaka Čuber Potočnik and 1. FC Köln, (2) by 1. FC Köln GmbH & Co. KGaA and 1. Fußball-Club Köln 01/07 e.V. against ŠD NK Olimpija Ljubljana and FIFA, as well as (3) by Jaka Čuber Potočnik against NK Olimpija Ljubljana and FIFA.

NK Olimpija seeks an increased compensation payment of EUR 2'507'200 from Jaka Čuber Potočnik and 1. FC Köln for breach of contract without just cause as well as an order requiring 1. FC Köln to pay it the amount of EUR 69,972.60 as training compensation.

1. FC Köln GmbH & Co. KGaA and 1. Fußball-Club Köln 01/07 e.V. (together, FC Köln) seek the annulment of the Challenged Decision and a decision from CAS establishing they did not induce Jaka Čuber Potočnik to any contractual breach.

Jaka Čuber Potočnik seeks the annulment of the Challenged Decision and a decision from CAS establishing that the contract between him and NK Olimpija Ljubljana was never validly constituted, that the sporting sanctions imposed on him be lifted, and that the compensation not be superior to that awarded in the Challenged Decision.

Together with their statements of appeal, FC Köln and Jaka Čuber Potočnik filed requests to stay of the execution of the Challenged Decision.

These CAS arbitrations are at an early stage but it is likely that they will be handled together. The parties are exchanging written submissions and a decision on FC Köln and Jaka Čuber Potočnik's requests to stay the execution of the Challenged will be issued by the President of the Appeals Arbitration, or her deputy, in due course.

It is not possible to indicate at this time when, or if, a hearing will be held, or when the final decision will be issued.

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