

**DISPUTES RESOLUTION AUTHORITY
DRA/9/2005**

IN THE MATTER OF THE ARBITRATION ACTS

AND IN THE MATTER OF THE DISPUTES RESOLUTION CODE OF THE
GAELIC ATHLETIC ASSOCIATION

AND IN THE MATTER OF AN ARBITRATION BETWEEN

Martin Glynn And Michael Staines
(mar Ionadaithe Ar Son Cill Mochuda - Na Crócaigh)
Mark Vaughan

CLAIMANTS

Christy Cooney
(mar ionadaí ar son An Lár Choiste Athchomhairc
Pat Daly

(mar ionadaí ar son Ard Chomhairle)
Liam O'Neill agus Mícheál Ó Dubhshláine
(mar ionadaithe ar son Comhairle Laighean)

Ronan Barrett and Martin O'Halloran
(as nominees of St. Brigids GAA Club)

RESPONDENTS

AWARD IN RESPECT OF COSTS AND EXPENSES

WHEREAS the undersigned arbitrators heard and determined a dispute between the above named parties in September, 2005;

AND HAVING indicated in that award that the question of costs and expenses would be dealt with, in the first instance, by way of written application and written submission, and having expressly reserved the right to determine the issue of costs and expenses on the basis of the written submissions alone, without the necessity for an oral hearing;

AND HAVING receiving writing submissions and considered same;

WE DIRECT that the **COSTS AND EXPENSES** be paid as follows, pursuant to the provisions of Section 29 of the Arbitration Act 1954 and/or §2.3 and §11.2 of the Disputes Resolution Code:

1. The costs and expenses of Kilmacud Stokes are to be paid jointly by Leinster Council and Central Council/Appeal Committee of Central Council.
2. The costs and expenses Mark Vaughan are to be paid jointly by Leinster Council and Central Council/Appeal Committee of Central Council.

3. The expenses of the Disputes Resolution Authority are to be borne by Central Council/Appeal Committee of Central Council and Leinster Council.
4. For the avoidance of any doubt, any deposit paid by Kilmacud Stokes is to be reimbursed.
5. The parties are to have liberty to apply to have the arbitrators measure the costs and expenses.

In exercising our discretion in relation to costs, we have had regard to the fact that Kilmacud Stokes and Mark Vaughan were successful in their claim and therefore have ordered costs and expenses against both Central Council/Appeal Committee of Central Council and Leinster Council. Having regard to the limited jurisdiction of the Appeals Committee of Central Council, we think that it is just and equitable that these costs and expenses should also be borne by Leinster Council as it was its decision and its attempt to avoid the award of May, 2005 that principally give rise to the present dispute.

Insofar as St. Brigid's GAA Club is concerned, we think that it is just and equitable that no order for costs be made either for or against it. Its role was more limited than that of the other two respondents, and St. Brigid's was, in effect, permitted to participate *de bene esse*.

Garrett Simons (Chairperson)
Dr. Mick Loftus
Matt Shaw

Dated [...] January 2006.