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Manchester City maintain silence over Carlos Tevez

By **Andy Hampson**

Thursday, 27 October 2011

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Manchester City are maintaining their silence as they await Carlos Tevez's next move in their increasing bitter dispute with the player.

Tevez appears likely to appeal against City's decision to fine him four weeks' wages - believed to be around £800,000 - for allegedly refusing to play against Bayern Munich last month.

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The Argentinian maintains he only refused to warm up at the Allianz Arena and Press Association Sport understands he is considering suing City manager City Roberto Mancini for defamation over the matter.

There have been suggestions City could counter-sue the player due to his diminishing value but the club would not comment this morning on that possibility.

Mancini also would not answer questions on the Tevez subject after last night's Carling Cup fourth-round win at Wolves.

City issued a hard-worded statement on Tuesday evening detailing the five breaches of contract they believe Tevez to have committed.

They are now waiting to hear formally if Tevez will exercise his right to appeal but with 14 days from the judgement to make clear his intentions, there is no immediate rush.

The 27-year-old and his representatives want to take full stock of their options.

In the meantime, while Tevez is theoretically eligible for selection, he is likely to remain an isolated figure.

The former West Ham and Manchester United player has been training alone since returning from a suspension while the initial investigation into the affair was conducted a fortnight ago.

The club are determined to take a hard line over the matter and will not countenance a cheap sale in January.

It is understood City will hold Tevez to the remainder of his contract, which expires in 2014, if necessary.

Mancini will decide what becomes of the player and, after a conversation with the Italian on Tuesday, chairman Khaldoon Al Mubarak will give him his full backing.

City valued Tevez at £40million when a move to Brazilian club Corinthians collapsed in the summer and will only accept a similar fee.

People in Tevez's camp believe they may have a case to sue Mancini for defamation of character over the manager's immediate post-match comments in Munich.

Mancini said Tevez would not come on as a substitute during the second half of the 2-0 defeat and was "finished" at the club as a result.

With Tevez insisting that was not the case, and considering that he has only been charged with a failure to resume warming up, he is seeking legal advice.

Going down that route is a high-risk strategy, according to one legal expert.

Anthony Sakrouge, head of employment practice at Russell-Cooke Solicitors in London, said: "Employees are often looking for ways to bring claims which are not subject to any financial cap, although it is highly unusual for an employee to sue his line manager for defamation.

"Mr Tevez would appear to have other options, if he considers (as he appears to) that the club has placed itself in breach of the implied term of trust and confidence.

"In the meantime it is certainly true, as has been observed generally, that the proposed defamation claim would be very awkward and potentially very divisive for the club.

"Against that, the bringing of such a claim could also in some circumstances justify an employer terminating an employee's contract, particularly if the employee is eventually disbelieved."

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