

FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON NOVEMBER 13, 2020 WITH RESPECT TO CLAIMANTS #3-5 PURSUANT TO RULE 21F-10(f) OF THE EXCHANGE ACT

Notice of Covered Action [REDACTED]

PRELIMINARY DETERMINATIONS OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Notice of Covered Action, the Securities and Exchange Commission (the "Commission") received five whistleblower award claims. Pursuant to Section 21F of the Securities Exchange Act of 1934 (the "Exchange Act") and Rule 21F-10 promulgated thereunder, the Claims Review Staff has evaluated each of these claims in accordance with the criteria set forth in Rules 21F-1 through 21F-17. The Claims Review Staff sets forth its Preliminary Determination for each award claimant as follows.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Notice of Covered Action [REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (Claimant #3) and [REDACTED] (Claimant #4)

The Claims Review Staff has preliminarily determined to recommend that the Commission deny the award claims of Claimant #3 and Claimant #4. Neither Claimant #3 nor Claimant #4 provided information that led to the successful enforcement of the above-referenced Covered Action within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) thereunder because the information they provided did not, under Rule 21F-4(c)(1) of the Exchange Act:

(1) cause the Commission to (a) commence an examination, open or reopen an investigation, or inquire into different conduct as part of a current Commission examination or investigation, and (b) thereafter bring an action based, in whole or in part, on conduct that was the subject of either Claimant #3's or Claimant #4's information; or

(2) significantly contribute to the success of a Commission judicial or administrative enforcement action under Rule 21F-4(c)(2) of the Exchange Act.

In reaching this preliminary recommendation, we note that the record reflects that the investigation that led to the Covered Action was not opened based on information provided by Claimant #3 or Claimant #4. In addition, none of the information provided by Claimant #3 or Claimant #4 contributed to the success of the Covered Action, in that the staff was already aware of the information at the time it received it or the information did not relate to the liability issues in the Covered Action.

Notice of Covered Action [REDACTED]
[REDACTED]

[REDACTED] (Claimant #5)

The Claims Review Staff has preliminarily determined to recommend that the Commission deny the award claim of Claimant #5. Claimant #5 did not provide information that led to the successful enforcement of the above-referenced Covered Action within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) thereunder because the information provided did not, under Rule 21F-4(c)(1) of the Exchange Act:

(1) cause the Commission to (a) commence an examination, open or reopen an investigation, or inquire into different conduct as part of a current Commission examination or investigation, and (b) thereafter bring an action based, in whole or in part, on conduct that was the subject of Claimant #5's information; or

(2) significantly contribute to the success of a Commission judicial or administrative enforcement action under Rule 21F-4(c)(2) of the Exchange Act.

In reaching this preliminary recommendation, we note that the record reflects that the investigation that led to the Covered Action was not opened based on information provided by Claimant #5. In addition, staff responsible for the investigation and Covered Action did not have any communications with Claimant #5, and Claimant #5 did not provide any information that had any impact on the staff's investigation or the Covered Action.

Finally, Claimant #5 failed to submit Claimant 5's claim for an award on Form WB-APP within ninety (90) days of the above-referenced Notice of Covered Action, as required under Rule 21F-10(b) of the Exchange Act in order to be considered for an award. Further, Claimant #5 has not demonstrated that the Commission should waive, in its discretion, the filing deadline based on "extraordinary circumstances," as provided under Rule 21F-8(a) of the Exchange Act.

By: Claims Review Staff

Dated: September 14, 2020