

FINAL ORDER - THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION WITH RESPECT TO CLAIMANTS 3&4 ON SEPTEMBER 27, 2019 PURSUANT TO RULE 21F-10(F) OF THE SECURITIES EXCHANGE ACT OF 1934

Notice of Covered Action Redacted

Redacted

PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Notice of Covered Action, the U.S. Securities and Exchange Commission received whistleblower award claims from Redacted Redacted and a jointly filed whistleblower award claim from Redacted Redacted (“Claimants 3&4”). 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 the 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

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Claimants 3&4

The Claims Review Staff has preliminarily determined to recommend to the Commission that it deny awards to Claimants 3&4. The basis for this determination is that Claimants 3&4 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) and 21F-4(c) thereunder because their information did not:

- a. cause the Commission to (i) commence an examination, (ii) open or reopen an investigation, or (iii) inquire into different conduct as part of a current Commission examination or investigation, and the Commission brought a successful judicial or administrative action based in whole or in part on conduct that was the subject of the information under Rule 21F-4(c)(1) of the Exchange Act; or
- b. significantly contribute to the success of the Covered Action under Rule 21F-4(c)(2) of the Exchange Act.⁶

By: Claims Review Staff

Date: July 29, 2019

Redacted

⁶ In preliminarily finding that the information that Claimants 3&4 provided to the Commission did not lead to the success of the action, we have relied on the following facts that are identified in a declaration provided by one of the principal attorneys involved with the Covered Action: Enforcement staff opened the investigation that resulted in the Covered Action prior to Claimant 3&4's submission of information and Claimant 3&4's information did not significantly contribute to the investigation as it did not relate to the particular issues being investigated, and Enforcement staff had no communications with Claimants 3&4.