

**FINAL ORDER-THIS PRELIMINARY SUMMARY DISPOSITION BECAME THE FINAL ORDER
OF THE COMMISSION ON APRIL 14, 2023
PURSUANT TO RULE 21F-18(b)(4) OF THE SECURITIES EXCHANGE ACT OF 1934**

Notice of Covered Action: [REDACTED]

**PRELIMINARY SUMMARY DISPOSITION
OF THE OFFICE OF THE WHISTLEBLOWER**

In response to the above-referenced Notice of Covered Action, the U.S. Securities and Exchange Commission (“Commission”) received a whistleblower award claim from [REDACTED] (“Claimant”) for the above referenced matter. Pursuant to Section 21F of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rule 21F-18 promulgated thereunder, the Office of the Whistleblower has evaluated the above claim in accordance with the criteria set forth in Rules 21F-1 through 21F-18 and has designated your award application(s) for resolution through the summary disposition process.

The Office of the Whistleblower has preliminarily determined to recommend that the Commission deny the above award claim.¹ The basis for this determination is marked below as follows:

The information provided by Claimant(s) was never provided to or used by staff handling the Covered Action(s) or underlying investigation (or examination), and those staff members otherwise had no contact with Claimant(s). Therefore, Claimant(s) did not provide information that led to the successful enforcement of the above-referenced Covered Action(s) 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: (1) 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 under Rule 21F-4(c)(1) of the Exchange Act; 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.²

¹ To the extent Claimant has applied for an award in a related action, because Claimant is not eligible for an award in an SEC Covered Action, he/she is not eligible for an award in connection with any related action. *See* 15 U.S.C. § 78u-6(b); Exchange Act Rule 21F-3(b), (b)(1); Rule 21F-4(g) and (f); Rule 21F-11(a); *see also* Order Determining Whistleblower Award Claim, Release No. 34-86902 (Sept. 9, 2019).

² Claimant did not provide information that led to the successful enforcement of the Covered Action. The investigation that led to the Covered Action (the “Investigation”) was opened in [REDACTED] based upon information collected by Enforcement staff in a different investigation. One day before the Commission filed the Covered Action in federal court, Enforcement staff reviewed a [REDACTED] examination report (the “Report”) relating to [REDACTED]. The Report described an [REDACTED] letter from Claimant and a subsequent meeting with Claimant. Staff assigned to the Investigation did not review the letter or have any communication with Claimant. Further, staff assigned to the Investigation confirmed that the description of Claimant’s allegations in the Report did not appear to relate to the subject matter of the

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Claimant(s) failed to specify in the award application the submission pursuant to Rule 21F-9(a) on which the Claimant(s)'s claim for an award is based.³

By Office of the Whistleblower

Date: March 15, 2023

Investigation or the Covered Action. None of Claimant's information was used in or advanced the Investigation or the Covered Action.

³ In the field requiring a TCR number, Claimant listed "On File." While Claimant provided a TCR submission date, OWB staff were unable to locate a TCR submission by Claimant around that date related to the respondents in the Covered Action.