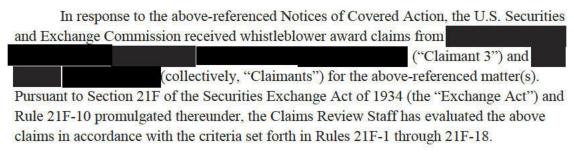
## FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON MAY 17, 2021 AS TO CLAIMANT 3 PURSUANT TO RULE 21F-10(f) OF THE SECURITIES EXCHANGE ACT OF 1934



## PRELIMINARY DETERMINATIONS OF THE CLAIMS REVIEW STAFF



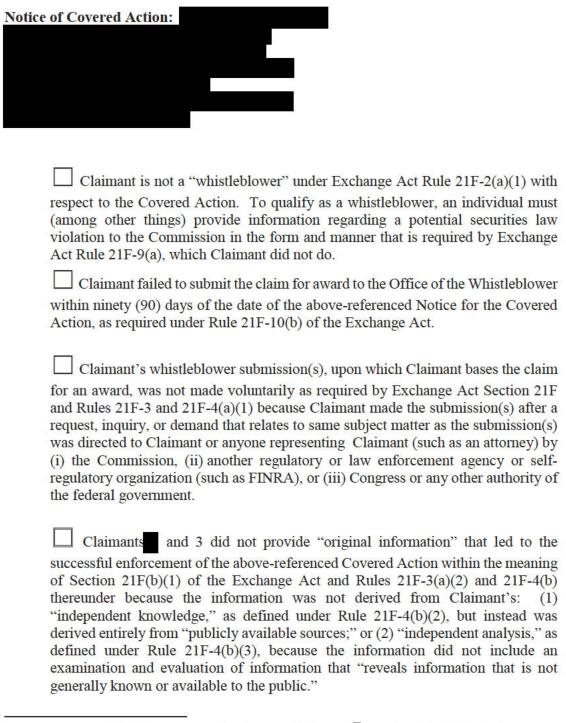
The Claims Review Staff has preliminarily determined to recommend that the Commission deny the above award claims. The bases for these determinations are marked below as follows:

Claimants 3 and did not provide information that led to the successful enforcement of the above-referenced Covered Actions within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) thereunder because any 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 claimants' 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.<sup>2</sup>

Claimant 3 contacted the staff after the first Covered Action was publically announced.

<sup>&</sup>lt;sup>1</sup> To the extent Claimants have applied for an award in a related action, because Claimants are not eligible for an award in an SEC Covered Action, they are 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).

<sup>&</sup>lt;sup>2</sup> None of the Claimants provided information that caused the Covered Actions investigation to open. Investigative staff responsible for the Covered Actions opened the investigation prior to receiving information from any of the Claimants. Nor did any of the Claimants significantly contribute to the Covered Actions.



However, none of the information submitted by Claimants and 3 assisted staff in the investigation or resulting charges as the information was duplicative of information already obtained by investigative staff or otherwise did not support the Commission's charges.



Claimants and 3 did not provide "original 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)(2) and 21F-4(b) thereunder because the information provided by Claimant was already known to the Commission.<sup>3</sup>

Claimant did not provide "original 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)(2) and 21F-4(b) thereunder because the information was not provided to the Commission for the first time after July 21, 2010 (the date of enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act).<sup>4</sup>

By: Claims Review Staff

Date: February 22, 2021

<sup>4</sup> See Stryker v. SEC, 780 F.3d 163 (2d Cir. 2015).